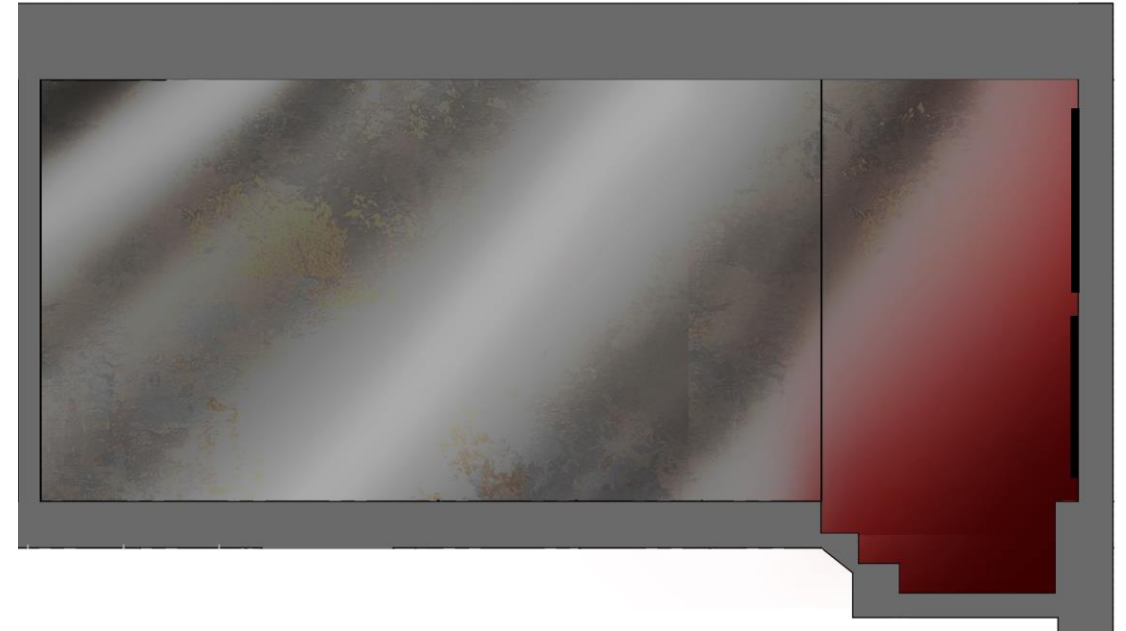
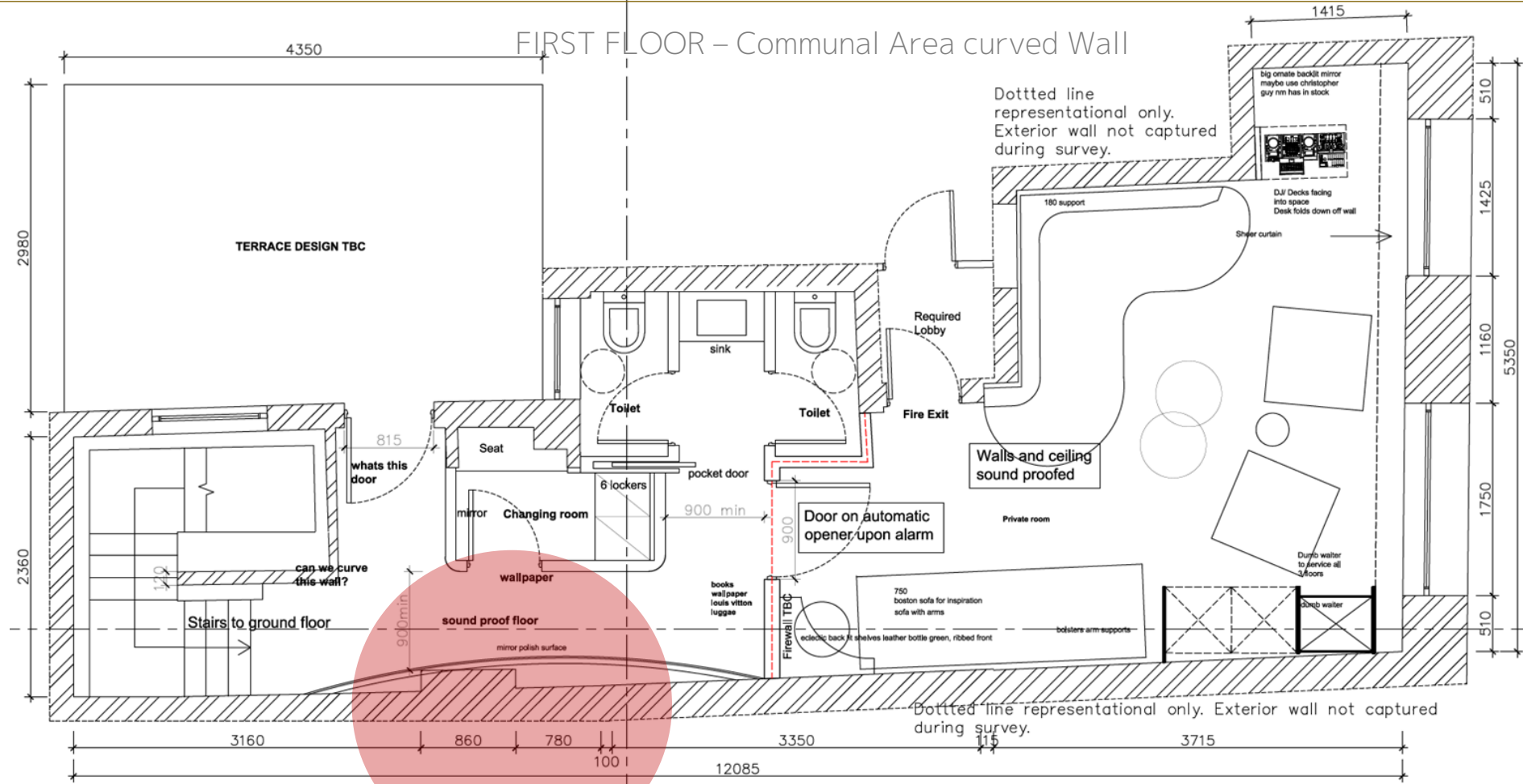


FIRST FLOOR – CURVED WALL POLISHED PLASTER ENTRANCE

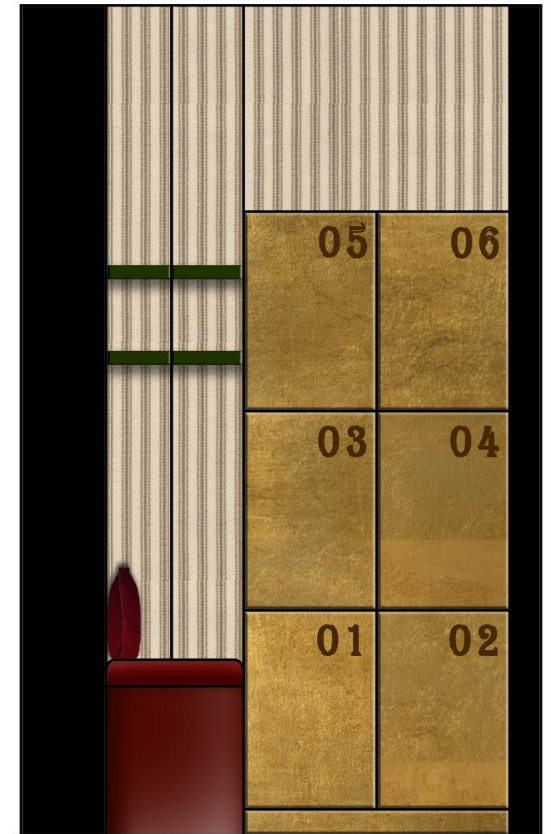
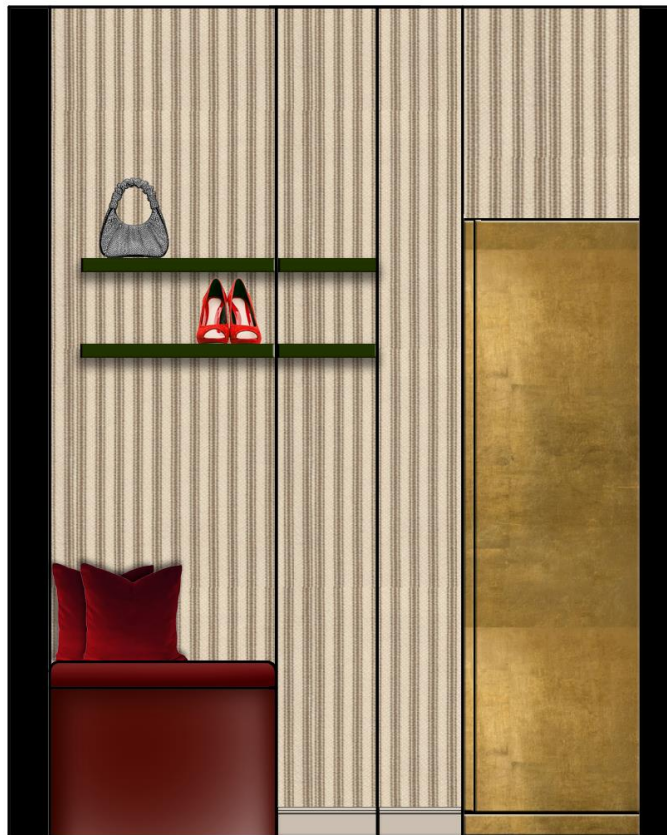
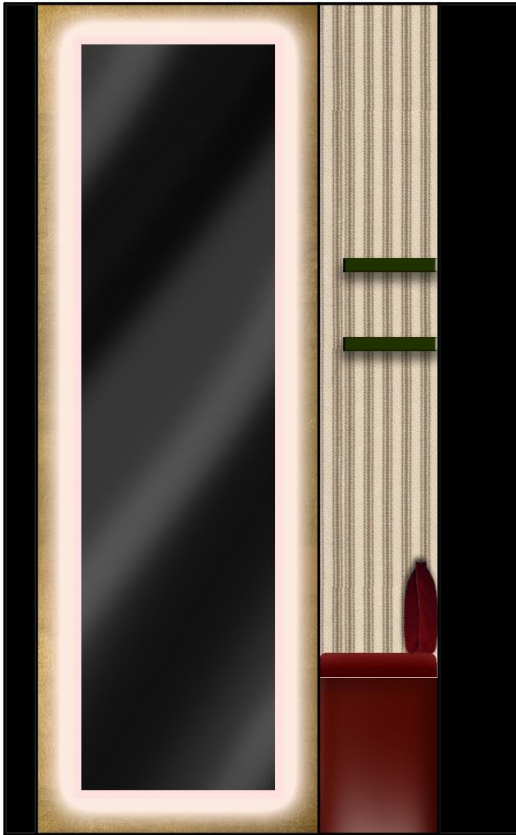


FIRST FLOOR – Communal Area curved Wall

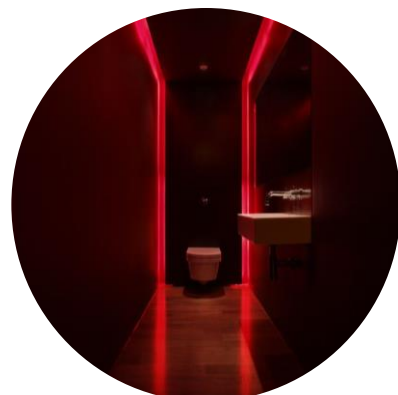
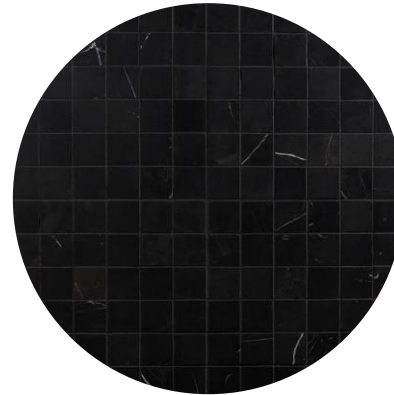
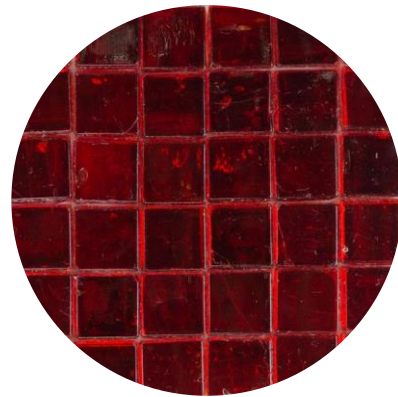




FIRST FLOOR – Changing Room



Ground floor Toilets





NM | DESIGN

Ground floor Toilets

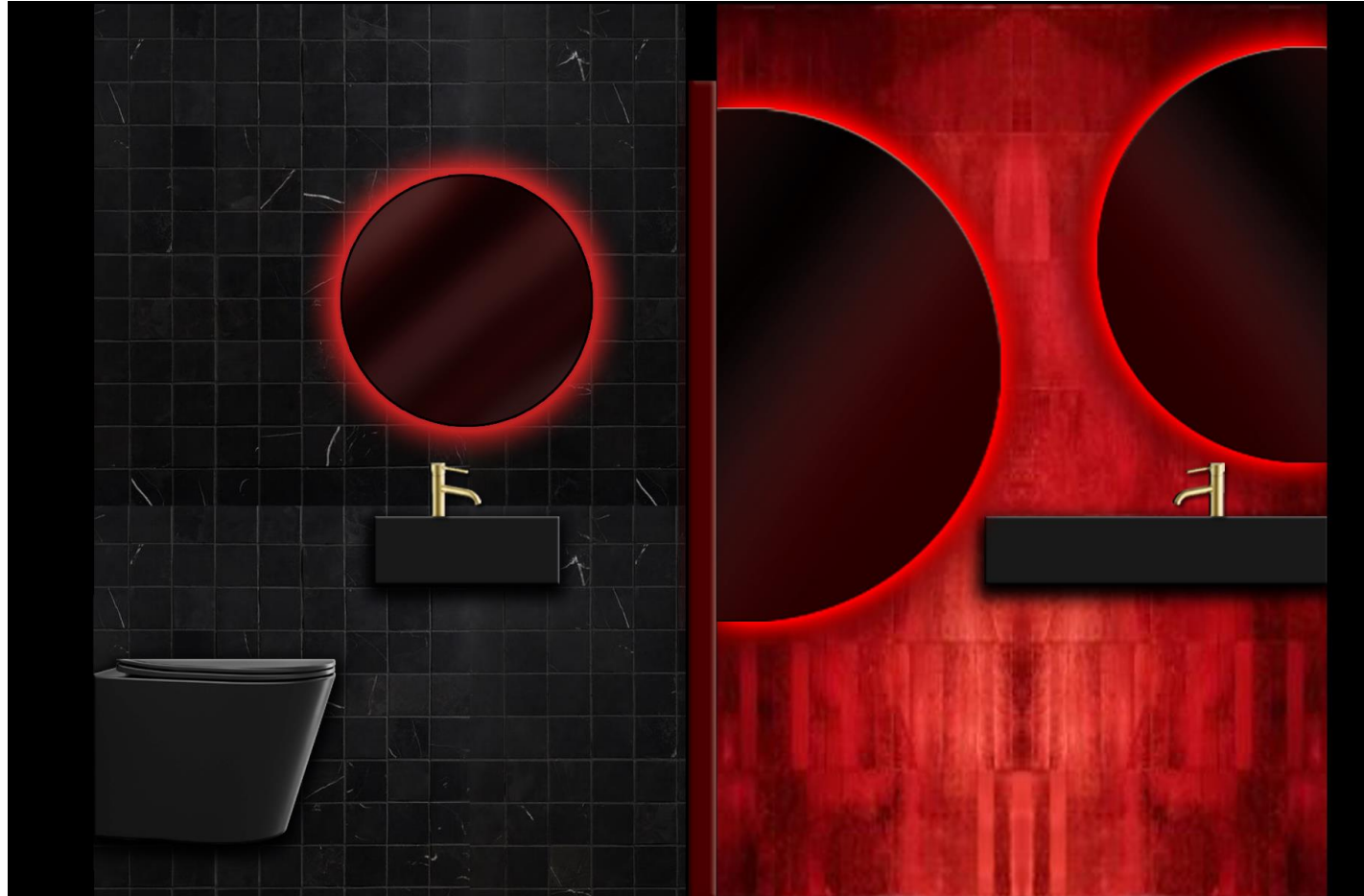


info@nmdesign.london

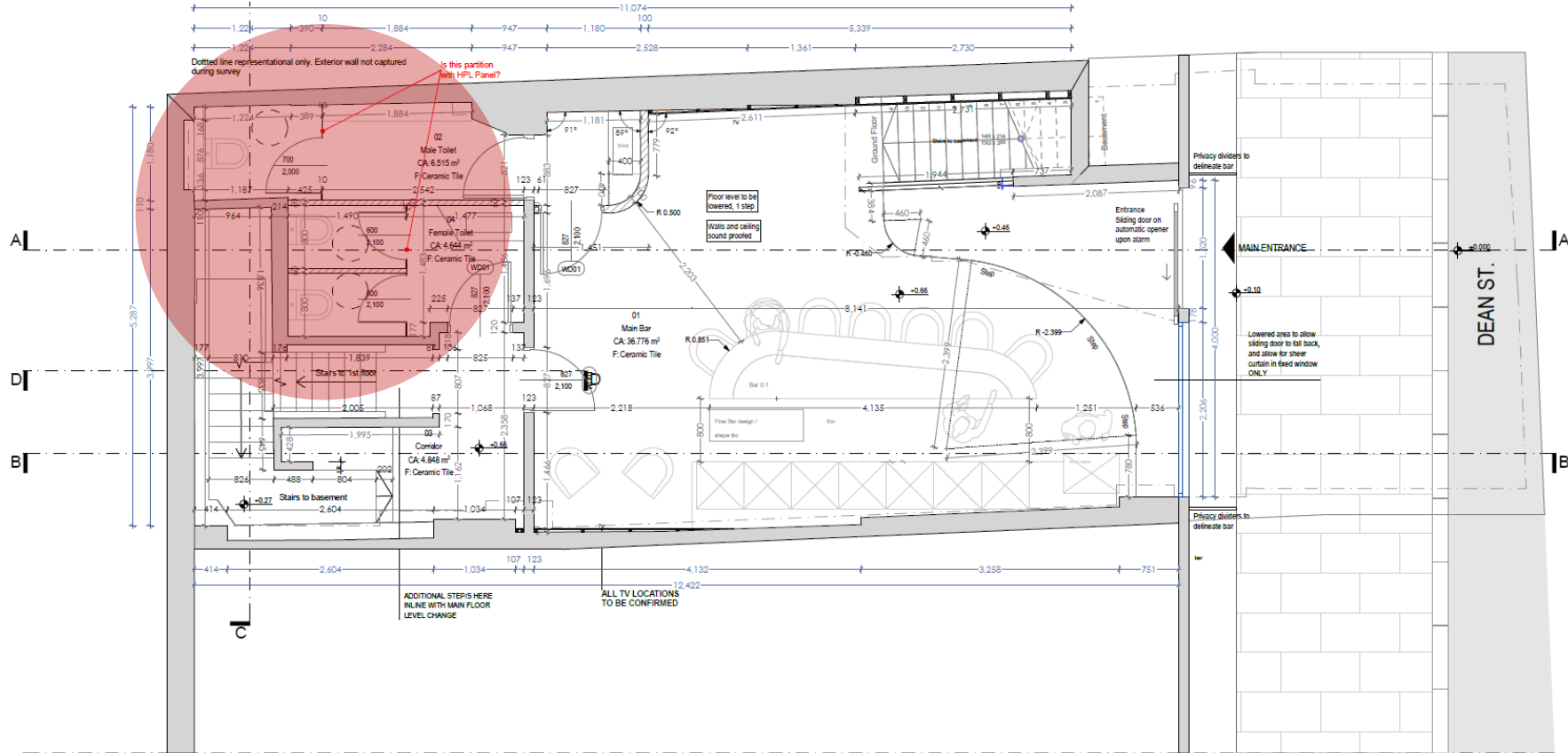
Ground floor Toilets – Men Toilet



Ground floor Toilets – Women Toilet

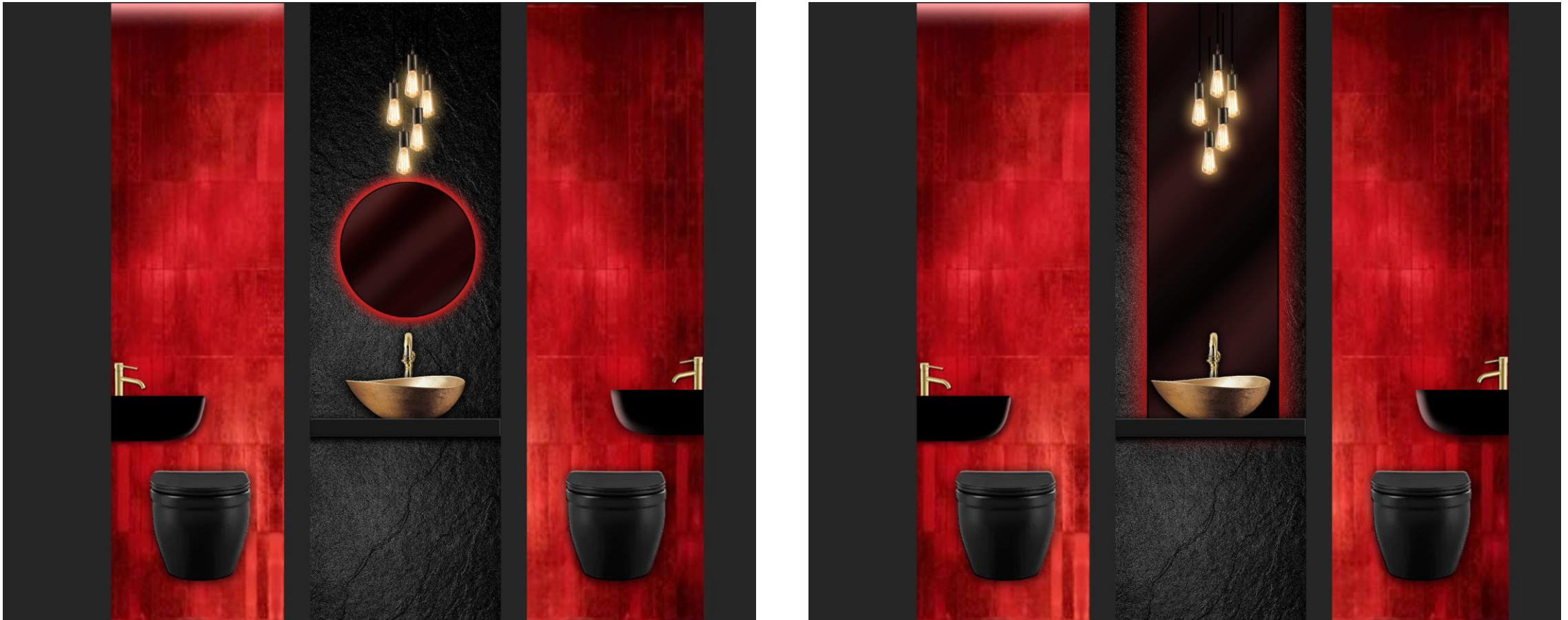


Ground floor Toilets

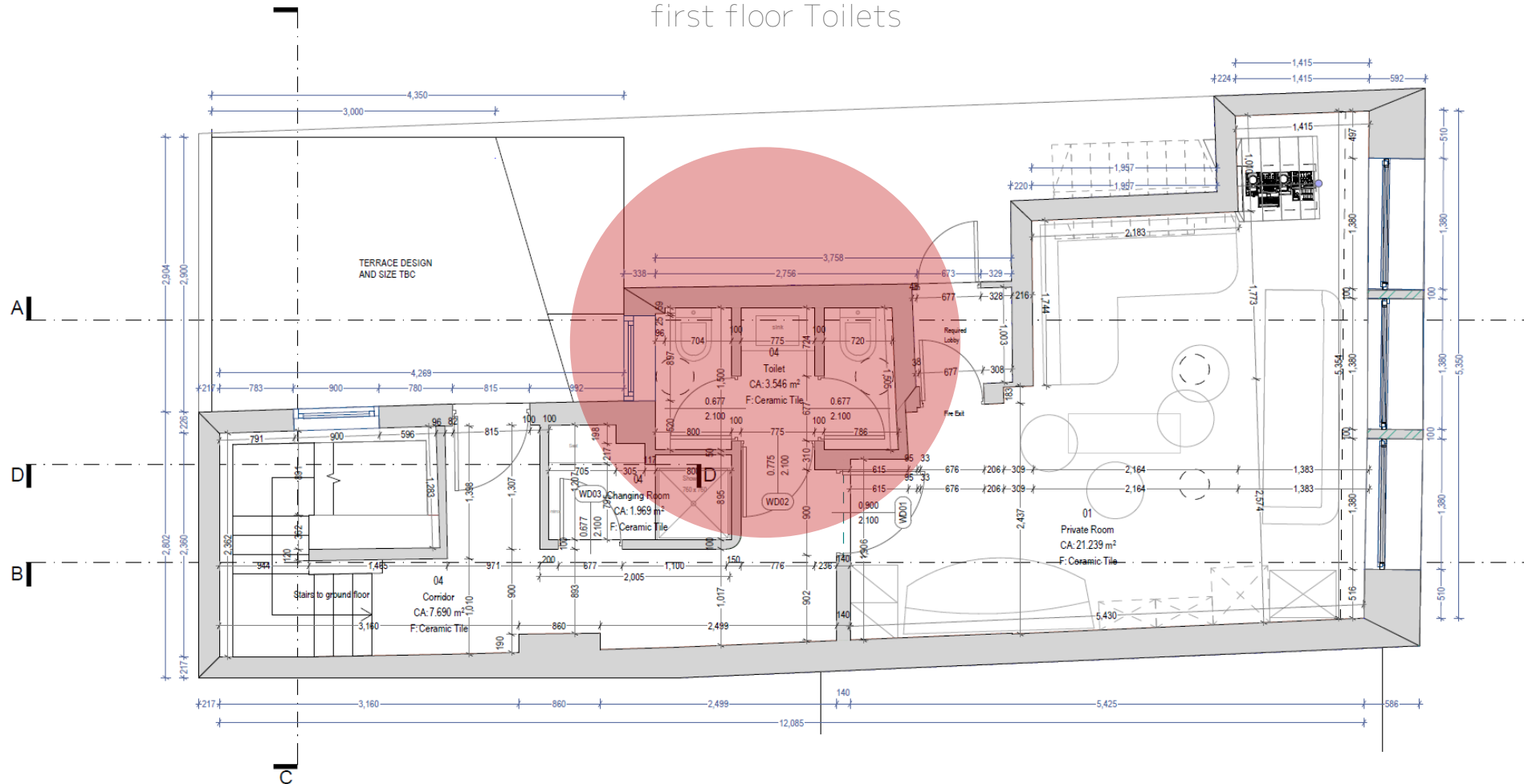


Ground Floor
30 Dean Street
Scale 1:50

First floor Toilets

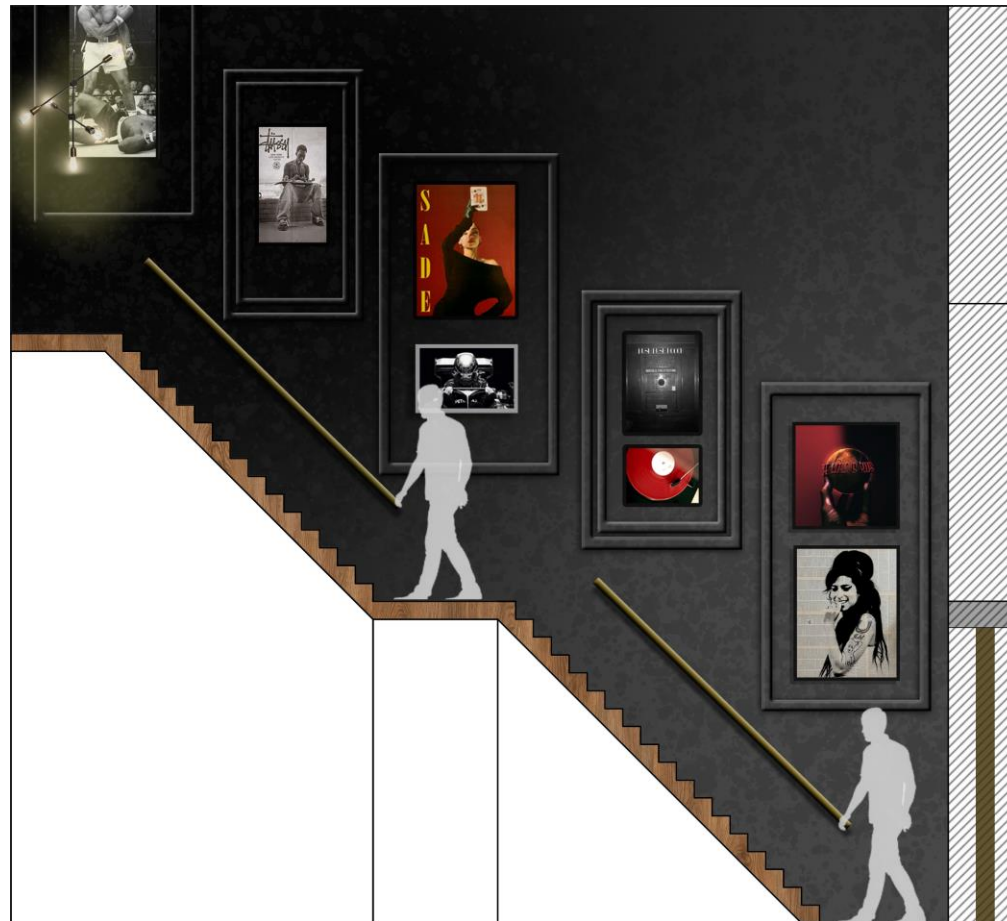


first floor Toilets

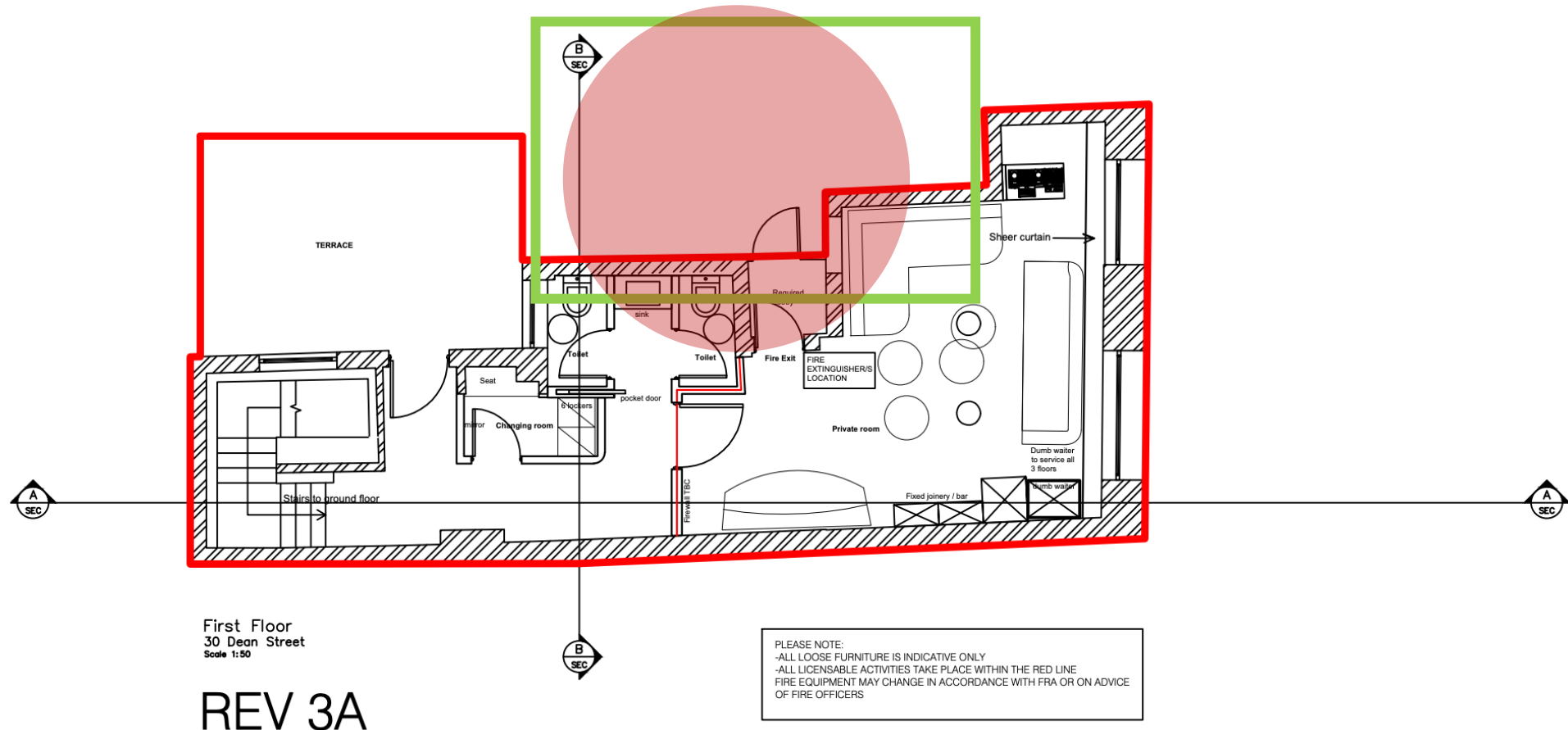




COMMUNAL AREAS- DOOR TO PRIVATE RESIDENCES



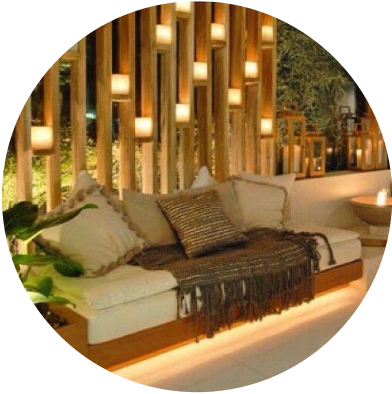
COMMUNAL AREAS- DOOR TO PRIVATE RESIDENCES



First Floor
30 Dean Street
Scale 1:50

REV 3A

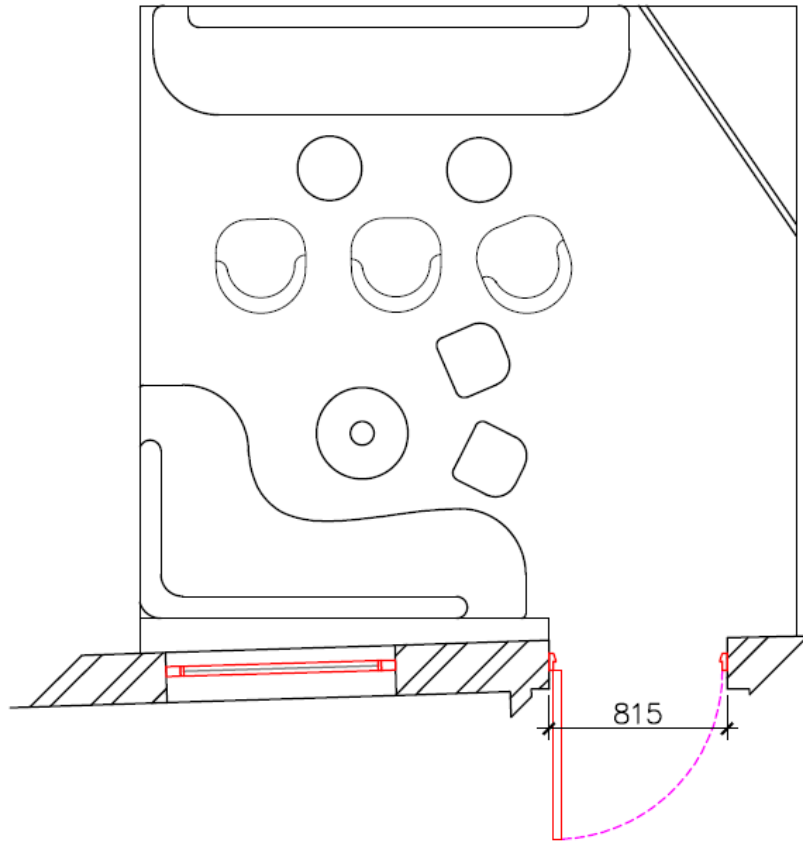
TERRACE



TERRACE

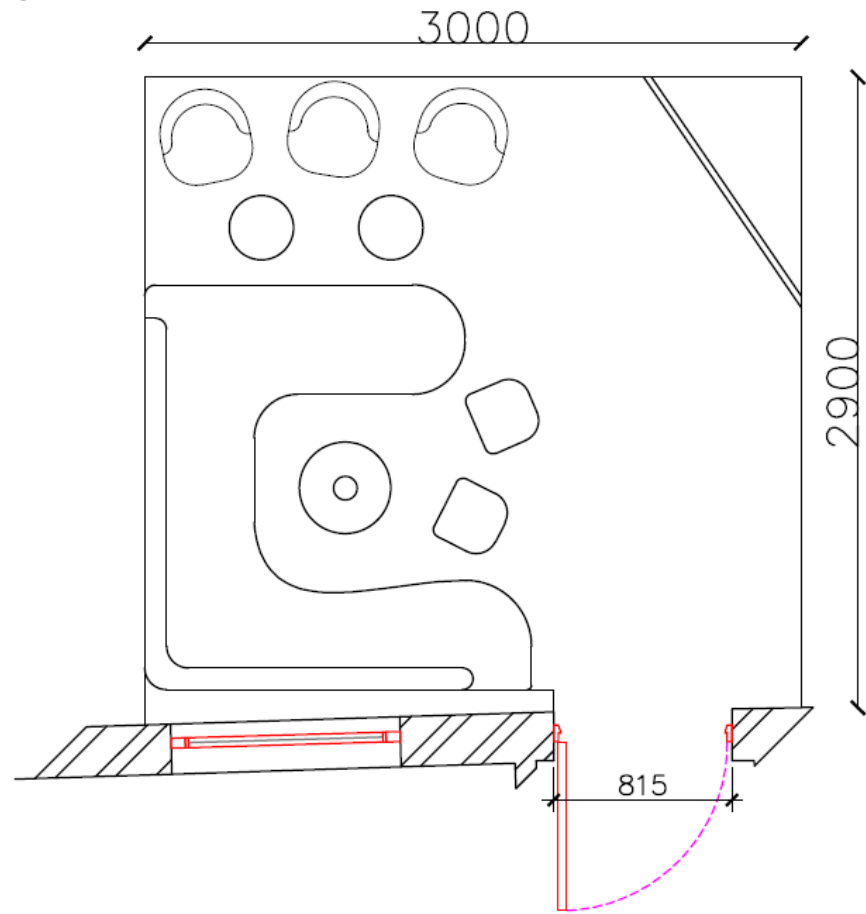


OPTION 1

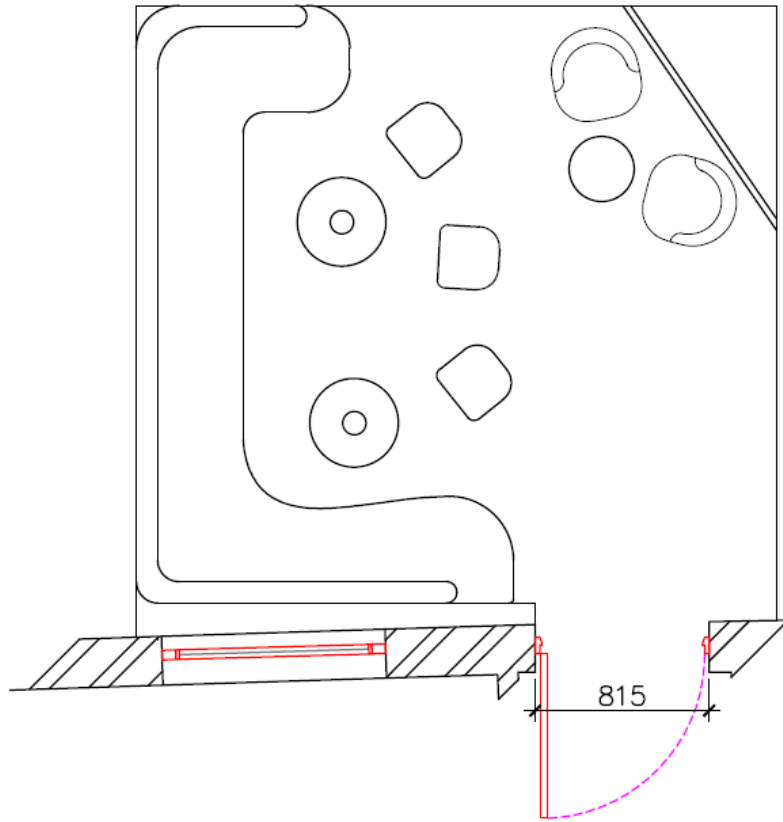


TERRACE

OPTION 2

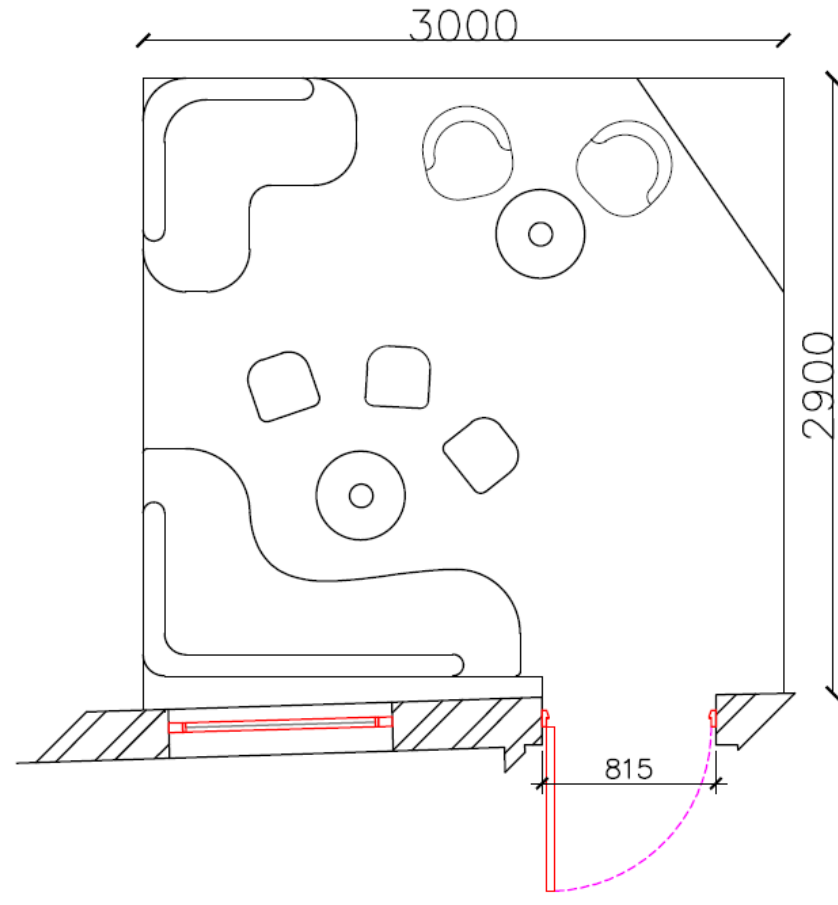


OPTION 3

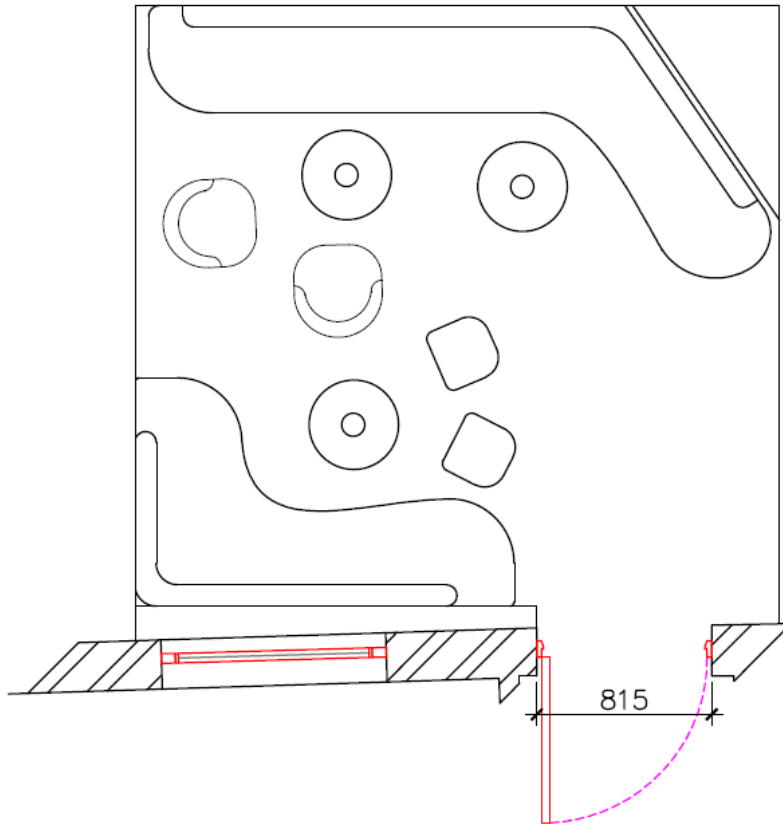


TERRACE

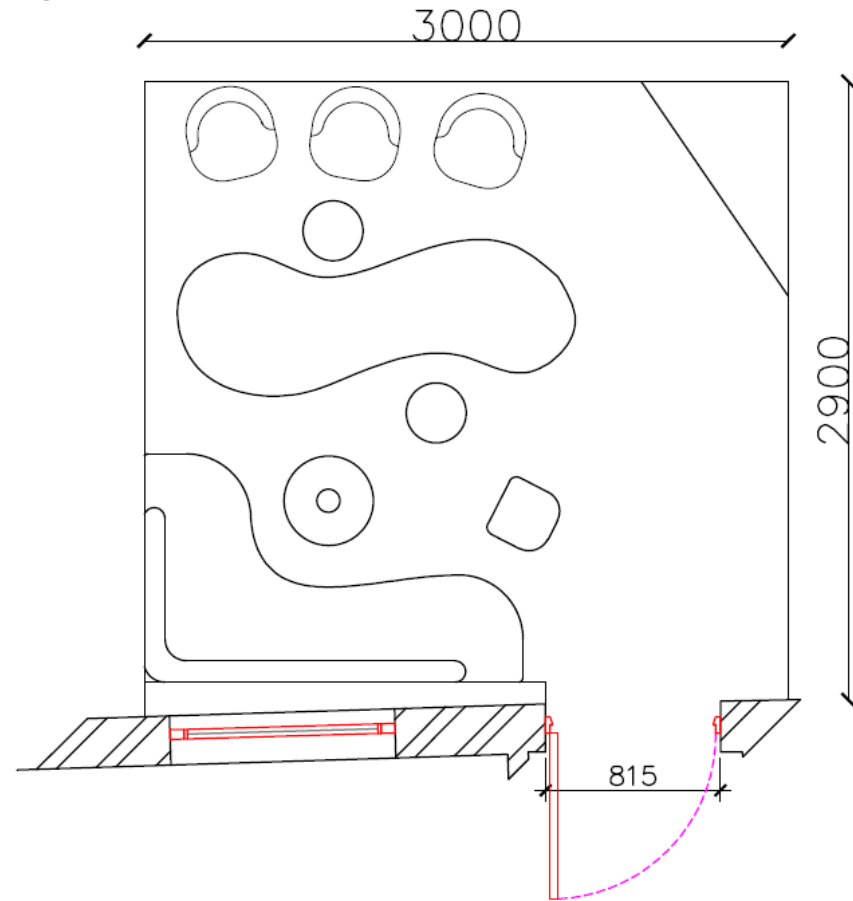
OPTION 4



OPTION 5

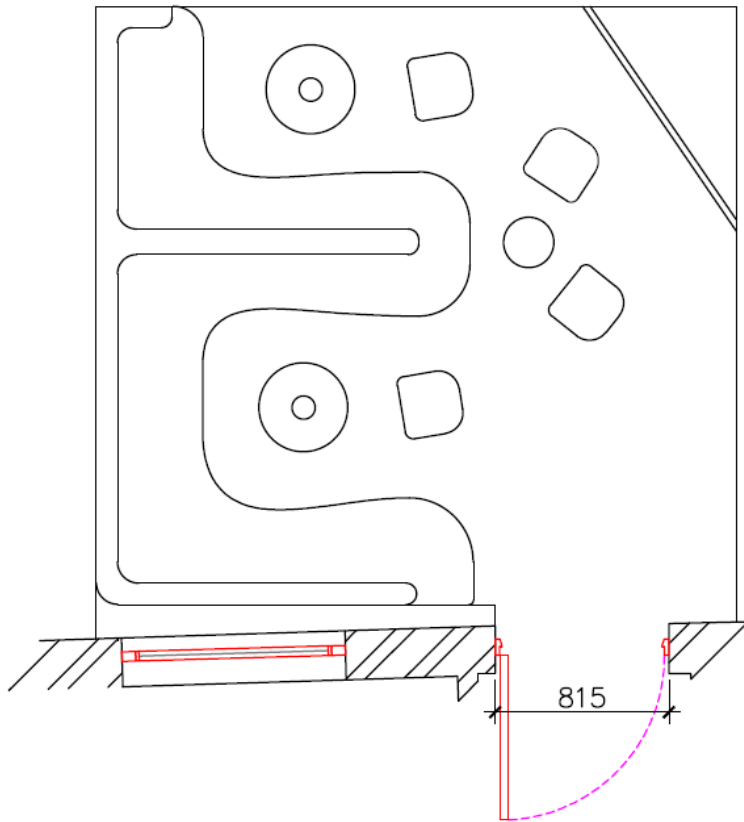


TERRACE



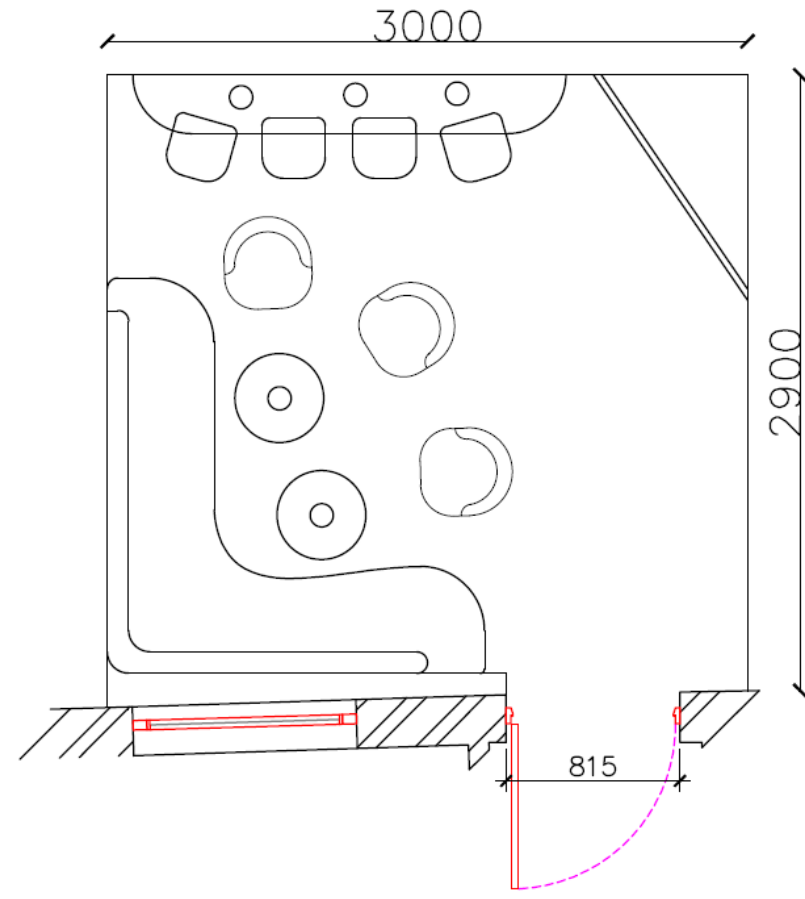
OPTION 6

OPTION 7



TERRACE

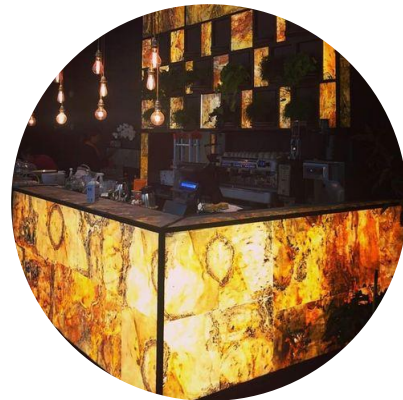
OPTION 8



TERRACE



LIGHTING



Licensing Authority representation

Appendix 4.1

Dear Sirs

I write in relation to the application for a review of the premises licence for Basement to First Floor, 30 Dean Street, London, W1D 3SA.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered the application from the Metropolitan Police to review the premises licence and have serious concerns in relation to the operation of the premises and how the premises promote the four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The premises have a history of breaches of licence conditions and the Licensing Authority support the evidence the Police have submitted in regard to reviewing the premises licence.

Paragraph 11.28 of the Revised Guidance issued under section 182 of the Licensing Act 2003 states “ *Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered*”.

Mr James Hayes, Principal Officer for Licensing was present at the time that the Police identified the issues on 17th January 2024 and his observations are consistent with the evidence of the review. In addition to Mr Hayes’s observations, Mr Leroy Adedeji has also reported continuous and persistent breaches of the conditions attached to both the premises licence and the Sexual Entertainment Licence for the premises. Witness statements from Mr Hayes and Mr Adedeji are attached as **Appendix A and B**.

The premises licence conditions specified in the review application that have been breached are listed below.

32. Two SIA licensed doormen shall be on duty at the premises at all times and shall routinely monitor the premises.

49. There shall be no physical contact between customers and the dancers except for the placing of money or tokens in a garter or into the hands of the dancer at the beginning or conclusion of the performance. Whilst the dancers are performing there shall be a minimum distance of one metre between the dancer and the seated customers. Notices to this effect shall clearly be displayed at each table and at the entrance to the premises. (Disapplied due to premises operating under a SEV Licence)

50. CCTV will be installed in the whole of the licensed areas, including all dance areas, and in particular cameras to be placed to cover the entrance, the toilet entrance and the entrance to the dancers changing room. All cameras will continually record whilst

the premises are open to the public. The recordings will be retained for a period of 28 days, time/date stamped, and made available to the statutory authorities upon request (all areas are to be sufficiently lit, in order that the recorded images are of reasonable quality).

56. Consumption of alcohol is permitted outside the premises subject to being restricted to the Designated Smoking Area supervised by a licensed doorman positioned outside the premises at all material times and involves a maximum of 10 patrons at any one time.

In 2023 the Licensing Authority objected to the renewal of the Sexual Entertainment Licence due to continual breaches of licence conditions at the premises, which demonstrated the Licence Holder was unsuitable to hold a licence. The renewal application was determined at Licensing Sub-Committee on the 23rd November 2023. The decision to grant the licence states “*The Sub-Committee wishes to emphasise that this was a close decision and that it gave serious consideration to refusing the application.*”

The Licensing Sub Committee Decision is attached as **Appendix C**.

The Licensing Authority intends to call on the Council’s Officers as witnesses.

The Licensing Authority has no confidence that Sohomead Limited is able or willing to comply with the conditions already imposed on the premises licence and has shown little regard in promoting the four licensing objectives as a premises licence holder. The Licensing Authority agree with the Metropolitan Police’s request to revoke the premises licence as they continue to breach conditions in spite of numerous opportunities to improve their compliance.

It is for this reason and the other reasons highlighted above that the Licensing Authority submit a formal representation.

Should the Licensing Authority wish to provide further submission they will do so before the hearing.

Many Thanks

Karyn Abbott
Senior Licensing Officer
Licensing Team
Environment, Climate & Public Protection (ECPP)

Consultee Comments for Licensing Application 24/00928/LIREVP

Application Summary

Application Number: 24/00928/LIREVP

Address: Basement To First Floor 30 Dean Street London W1D 3SA

Proposal: Review of a Premises Licence

Case Officer: Ms Roxsana Haq

Consultee Details

Name: Anil Drayan

Address: City Hall, 64 Victoria Street, London sw16qe

Email: Not Available

On Behalf Of: Environmental Health Administration

Comments

Environmental Health support this application to review the Premises Licence based on the evidence presented by the Police. This evidence shows that the licensing objectives may be undermined particularly with regards to Public Safety.

from

Anil Drayan, EHO

Environmental Health Consultation Team

Tel 07931546137

Email adrayan@westminster.gov.uk

Interested Parties representations.

Appendix 4.3



The Soho Society
Saint Anne's Tower
55 Dean Street
London
W1D 6AF

Office: 0300 302 1301
www.thesohosociety.org.uk

Licensing Service
Public Protection and Licensing
Westminster City Council
Westminster City Hall
64, Victoria Street
London SW1E 6QP

Sent via email to licensing@westminster.gov.uk

15 March 2024

Reference: 24/00928/LIREVP : Sunset Strip, 30, Dean Street, W1D 3SA

We write in support of the review of this premises licence, we are very concerned with the recent history of the premises, the breaches of the sexual entertainment conditions resulted in the licensing police objecting to the renewal of the SEV licence. We note the importance of compliance with SEV and licensing conditions was raised at the renewal hearing in 2023. It is clear the subsequent engagement by the police has failed to secure compliance, following a serious allegation of drink spiking it was found the premises were continuing to breach their conditions.

Licensing Sub Committees set conditions with the of aim promoting the prevention of crime and disorder, public nuisance and ensuring public safety, compliance is therefore essential. Any breaches need to be taken very seriously and we ask the Committee to show that they will take decisive action on premises which breach conditions, and in so doing send a message to all other premises not abiding by their licensing conditions that they will be severely punished.

Yours faithfully,

Licensing Committee

Thomas & Thomas
Partners LLP

Your ref:
Our ref: AT/HM/SOH.4.21

38a Monmouth Street
London WC2H 9EP
tel: 020 7042 0410
fax: 020 7379 6618

Licensing Service
City of Westminster
64 Victoria Street
London
SW1E 6QP

By email: licensing@westminster.gov.uk

29 February 2024

Dear Sirs

Licensing Act 2003
Representation by Soho Estates Limited
23/01536/LI178: Sunset Strip, Basement To First Floor, 30 Dean Street

We act for Soho Estates Limited, the landlord of the above premises. As a result of its section 178 Licensing Act 2003 notification for the premises, our has client became aware that a review application has been submitted by the Metropolitan Police.

Our client is in the process of seeking information from its tenant, the licence holder, as to the circumstances resulting in the review application to enable it to form a view of the appropriate steps to take to ensure the promotion of the licensing objectives at the premises. In the meantime, please note our client's interest in this review application.

We would be grateful if you would keep us updated in relation to any submissions or applications made by the licence holder in respect of this matter. We will be attending the hearing and anticipate making further representations in person as may be necessary.

Yours faithfully

Thomas & Thomas Partners LLP
tel: 020 7042 0412
email: athomas@tandtp.com

OFFICIAL – (when completed) CP6

STATEMENT OF WITNESS

(C.J. Act, 1967, s.9; M.C. Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, r.27.1 (1))



City of Westminster

Witness Statement

Statement of: James Hayes

Age of witness: “Over 18 years”
(if over 18 enter “over 18”)

Occupation of Witness: Principal Officer for Premises Licensing

This statement, consisting of 4 page(s) each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Signed

Dated: 13 February 2024

My Name is James Hayes and I am the Principal Officer for Premises Licensing employed by Westminster City Council, attached to the Public Protection and Licensing Department, 15th Floor, City Hall, 64 Victoria Street, SW1E 6QP. I have held various roles within the Public Protection and Licensing Department since 2005, including a number of years in licensing enforcement. I have been required to enter and inspect premises to check how premises are operating in relation to licence conditions and promoting the licensing objectives. I have also been required to obtain evidence and write statements for numerous prosecutions, closure applications, appeals, and reviews under various legislation, including the Local Government (Miscellaneous Provisions) Act 1982 and the Licensing Act 2003. I have given presentations to industry groups regarding

Signed

compliance with licence conditions, including to sexual entertainment venues. I have attended court and Licensing Sub-Committees on a regular basis.

On 17 January 2024 I was on duty in Soho with PC Reaz Guerra and PC Steve Muldoon of the Police Licensing Team when at approximately 17:00 hours I approached Sunset Strip, 30 Dean Street, London W1D 3SA. The premises benefits from a premises licence under the Licensing Act 2003 and a Sexual Entertainment Venue Licence under the Local Government (Miscellaneous Provisions) Act 1982.

The purpose of the visit was for the police to follow up on a crime report of an incident of drink spiking that was alleged to have taken place at the premises.

Upon approaching the premises I observed a man I know to be [REDACTED], the Designated Premises Supervisor and manager of the premises, at the entrance. We said hello to [REDACTED] and entered the premises.

I did not observe anyone at the entrance of the premises or inside the premises wearing Security Industry Authority Identification badges.

Condition 33 of the Premises Licence in force at the premises, licence reference 23/04998/LIPV, States: "Two SIA licensed doormen shall be on duty at the premises at all times and shall routinely monitor the premises."

PC Muldoon and PC Guerra spoke to [REDACTED], and tried to establish details of the crime report. They requested to view CCTV to see if they could establish further information relating to the alleged drinking spiking incident. Mr [REDACTED] showed us hand written instructions of how to operate the CCTV, but he made a phone call and advised us the CCTV engineer who had installed the CCTV would be able to help provide recordings. This male arrived at the premises a few minutes later.

Signed



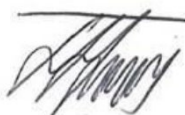
While the engineer supported PC Guerra with the CCTV recordings, PC Muldoon spoke to [REDACTED] further about the drink spiking and that he hadn't seen any SIA licensed doormen on the premises. After a short while a male I know to be working in a security capacity at the premises arrived, and put on his Security Industry Authority Identification badge. He was the only person I could see working in a security capacity, and had not been at the premises when we arrived.

PC Muldoon spoke to [REDACTED] about the condition on his premises licence regarding security provision. [REDACTED] said there was a registered door supervisor behind the bar, and referred to a female behind the bar who appeared to be working in a serving capacity, not a security capacity, and who did not have her Security Industry Authority Identification badge visible. PC Muldoon issued [REDACTED] with a closure notice due to not operating in accordance with the premises licence. Mr [REDACTED] stated that he would have to consider opening later due to the premises not being busy and the potential cost of employing additional security.

While PC Muldoon was speaking to [REDACTED], I could see some CCTV recordings from the television screens that are just inside the entrance to the premises. The screens showed recordings of relevant entertainment taking place from what appeared to be the private booths in the basement of the premises. The relevant entertainment was in the form of sexually stimulating dancing and nudity to seated customers. During the dances I saw in the CCTV recordings, it was apparent the performers were regularly touching customers in a sexually stimulating way, or the customers were touching the performers. Although I wasn't giving the television screens my full attention, every performance I observed involved contact between the performer and the customer that would be in breach of the following conditions attached to the Sexual Entertainment Venue Licence at the premises, licence reference 23/05797/LISEVR:

17. There shall be no physical contact between Performers whilst performing.

Signed



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.

It was clear that PC Guerra, who had been looking at the CCTV, also had concerns regarding the images contained in the CCTV recordings, and the CCTV system itself. PC Guerra requested the recordings be made available so a proper review of the recordings could take place.

██████████ was questioned about whether any changes were planned at the premises, as a variation application to change the layout had recently been granted, which involved the removal of the private booths in the basement. ██████████ was not able to give any details or timelines around when the change to the layout at the premises was likely to occur.

From my visit to the premises on the 17th of January 2024, it was clear the premises was not being operated in accordance with the conditions attached to the relevant licences in force at the premises. It also did not appear to me the issues identified relating to CCTV, SIA provision, and physical contact between performers and customers were one off incidents, but instead were reflective of how the premises typically operates due to systemic poor management and an unwillingness or inability to comply with licence conditions.

Signed



City of Westminster

Memorandum

TO Karyn Abbott

REFERENCE 23/01573/LISEVR

FROM Leroy Adedeji
City Inspectors, 15th Floor, City Hall

DATE 26 SEPTEMBER 2023.

RE: Sunset Strip, 30 Dean Street, London W1D 3SA

On Friday 15th September 2023 at 23:30hrs, a planned Sex Establishment Venue inspection was conducted on Sunset Strip, 30 Dean Street London W1D 3SA. The premises had also applied for a renewal of their Sex Establishment Licence. An anonymous complaint/email received 2nd September 2023 by the Licensing Service stating a series of allegations concerning the conduct of staff and management at Sunset Strip was also investigated. A colleague – City Inspector James Joyce and I arrived at the venue and was met by the designated premises supervisor and premises licence holder – [REDACTED]. He was advised of our visit and our intention to carry out an inspection. Since the venue have both premises and SEV licences, I decided to conduct both inspections.

We proceeded to the basement of the venue where private dancing was taking place. At 23:45hrs, we witnessed a dancer in one of the private dancing booths, the customer was sat, and we saw him touching and caressing the dancer's thighs and legs. This continued for about 30 seconds while we try to get the attention of the duty Manager – [REDACTED]. During our inspection and a tour of the venue, a series of questions regarding noted breaches were raised and the duty manager became very argumentative. The following breaches on the SEV licence were noted and the DPS was unable to answer our questions. [REDACTED] [REDACTED] admitted that he can't operate or have any knowledge of the CCTV cameras in the venue.

Condition 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.

Condition 16.

Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.

City of Westminster

Memorandum

Condition 17.

There shall be no physical contact between Performers whilst performing.

Condition 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.

Condition 24.

An SIA trained licensed doorman shall be based in the basement at all times when relevant entertainment is taking place.

The above breaches were raised with [REDACTED], but he became very dismissive and started raising his voice. He explained that a member of staff that can operate the cameras will be coming in at around midnight. At 00:10hrs, 16th September 2023, a member of staff known as [REDACTED] walked into the premises and engaged with us. He was advised that we will return later the same day to request for CCTV footage.

On Saturday 16th September 2023 at 22:10hrs, my colleague – James Joyce and I arrived at the venue and was met by the duty Manager – [REDACTED]. She explained that either [REDACTED] or [REDACTED] was on duty. She added that the establishment was expecting [REDACTED] at around Midnight or before the end of the trading hours. We proceeded to the basement and at 22:15hrs, we noted a customer in the private dancing booth touching and grooming the dancer. Upon seeing us the lady quickly stopped the customer's further advances. We returned to the ground floor of the venue and had a conversation with [REDACTED]. She admitted she was not able to operate the CCTV cameras and unable to provide the code of conduct setting out rules and regulations between licence holder and performers whilst performing. The incident log was also inspected, and it was not up to date. I pointed to [REDACTED] the breaches on their SEV licence. In addition to the breaches spotted on Friday 16th September 2023, the following breaches were noted.

Condition 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;***

City of Westminster

Memorandum

- (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*
- (j) any breach of licence condition by a performer*

Condition 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.

Condition 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.

Condition 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.

We left the venue at 22:35hrs and returned at midnight. We waited for [REDACTED] and he arrived at 00:15hrs. He was given two x 16GB Westminster City Council issued USB memory sticks. He was asked to download 2 weeks of CCTV footage of all the private dancing booths dating 2nd September to 16th September 2023. The memory sticks were handed over to me at 00:35. I asked [REDACTED] about conditions 12, 13, 14 and 15 and he could not give definite answers. He explained that the documents requested are stored in an office away from the venue. At 01:40hrs, 17th September 2023 the two memory sticks were sealed and stored in the evidence safe on the 15th Floor.

On Wednesday 20th September 2023, in the presence of Westminster Police Licensing officers, attempts were made to view the footage downloaded by [REDACTED]. All we viewed on both memory sticks were footage of the ladies changing room between 05:30am and 09:00hrs. In the company of Police licensing officer – Steve Muldoon, we returned to the venue at 15:10hrs and was met by [REDACTED]. I narrated what happened on Saturday 16th September 2023 and the CCTV footage downloaded by his staff [REDACTED]. PC Steve Muldoon asked [REDACTED] if he can operate the CCTV cameras and hard drive. He responded that he is not conversant with the camera. PC Steve Muldoon explained to [REDACTED] that it was a breach, and a member of staff needs to be on the premises who is always conversant with the operation of the CCTV system.

City of Westminster

Memorandum

████████ explained that he was expecting ██████████ to resume duties and train other staffs on the operation of the CCTV systems. ██████████ arrived at the venue at 16:40hrs and PC Steve Muldoon asked him series of questions regarding the operation of the CCTV system. He was handed over the 2 x 16gb USB memory sticks to download footages of all the private dancing booths. The dates requested are 25th and 26th August 1st, 2nd, 8th, 9th, 15th and 16th September 2023. The 2 memory sticks are securely stored in the evidence safe on the 15th floor awaiting viewing by officers.

A remedial letter was sent to ██████████ and Ms Lana Tricker concerning the findings of our inspections.

Based on the above alleged breaches, City Inspectors will object to the renewal of the SEV licence.

Please, if you have any queries concerning the information provided, do not hesitate to contact me or Heath Richards.

This concludes my evidence in this matter.



Leroy Adedeji
City Inspector

Appendix C

LICENSING SUB-COMMITTEE No. 6

Thursday 23 November 2023

Membership: Councillor Maggie Carman (Chair), Councillor Concia Albert and Councillor Jim Glen

Legal Adviser: Michael Feeney
Policy Officer: Daisy Gadd
Committee Officer: Jack Robinson-Young
Presenting Officer: Jessica Donovan

Objections: Objections from the Licensing Authority and the Metropolitan Police Service

Present: [REDACTED], Ms Lana Tricker (LT Law) and Sarah Le Fevre (Counsel) for the Applicant, Karyn Abbott and Leroy Adedeji (City Inspector) for the Licensing Authority and PC Reaz Guerra and James Rankin (Counsel) for the Metropolitan Police Service

1.	Application for a Renewal of a Sex Establishment Licence for Sunset Strip, Basement to Fist Floor, 30 Dean Street, London, W1D 3SA under the Local Government (Miscellaneous Provisions) Act 1982 (as amended by the Policing and Crime Act 2009)
	The Sub-Committee has determined an application for a Renewal of a Sexual Entertainment Venue Premises Licence made by Sohomead Limited to operate the Premises as a Sexual Entertainment Venue ("SEV") between the hours of Monday to Saturday 09:00 to 01:00 Sunday 09:00 to 23:00
	Amendments to application advised at hearing: None
	Submissions: The Presenting Officer Ms Donovan outlined the application to the Sub-Committee. She advised that this was an application for a Renewal of a Sexual Entertainment Venue Licence in respect of the Premises Sunset Strip Basement to First Floor 30 Dean Street W1D 3SA. The Sub-Committee considered a request made for an adjournment by the Applicant as a preliminary issue. Counsel for the Applicant, Sarah Le Fevre, addressed the Sub-Committee and outlined their request for an adjournment in respect of the first item on the agenda, the renewal of the sexual entertainment licence. Ms Le Fevre said that as laid out in the correspondence, applicants need to be given the opportunity to

make full representations prior to appearing before the Sub-Committee and this had not been possible due to the timings of papers being served. Ms Le Fevre said that the decision made today by the Sub-Committee would have a great effect on the business and its ability to operate. Ms Le Fevre said that it was clear from Ms Lana Tricker's letter that it was not laying out a case against the material itself, but rather the time that the material had been sent round to all parties. Ms Le Fevre said that in the additional papers the statement from PC Tom Stewart was dated 4th October and speaks to conversations he had in September which were serious issues for the management to deal with. Ms Le Fevre said that PC Stewart was offered CCTV footage on the day, but this was not taken up by PC Stewart. Ms Le Fevre said that the CCTV was no longer recoverable. Ms Le Fevre said there were also statements from the cleaning staff on the number of patrons in the premises which again, cannot now be taken. Ms Le Fevre said there was also a range of other material they wished to gather up and present, to show actions that had been taken to address issues raised including staff training. It was difficult to give weight to statement made by lawyers compared to witness statements from a police officer.

The Sub-Committee asked Ms Le Fevre that when she said she had not had time to produce materials to counter allegations, to capture CCTV and for the context of the condom that had been found, what would she had been able to present to counter these allegations if she had had time. Ms Le Fevre said she would much prefer, given the great impact of the decision, that [REDACTED] on behalf of the Applicant present a considered response to these allegations in particular, and that this could help the decision making of the Sub-Committee.

The Sub-Committee asked about the evidence in the submissions including several breaches of conditions. Ms Le Fevre said that these crystalised the difficulties that the Applicant was having in rebutting the evidence before the Sub-Committee, and these could potentially inform the decision making. Evidence had been circulated late, and she would want to be able to answer everything holistically, especially with regards to the September inspection from PC Stewart.

The Sub-Committee said they understood the deadlines that were laid down. The Sub-Committee said they understood that the CCTV was now no longer recoverable, which would not change at any hearing in the future. Ms Le Fevre confirmed this was the case.

Ms Karyn Abbott from the Licensing Authority addressed the Sub-Committee and said the Licensing Authority still maintained the application should be heard given the seriousness of the conditions breached.

Mr James Rankin, Counsel for the Metropolitan Police, said that there were two options available for the Applicant. The first option was to say that the enforcement officers were telling mistruths, or secondly that they did happen and that [REDACTED], former employee of the Applicant, should be thrown under the bus and there would be a change in management. The Applicant had chosen option b and an adjournment was not necessary. Mr Rankin said PC

Stewart's statement is corroborative of PC Steve Muldoon's statement regarding a used condom in the bin. Mr Rankin said this was dated weeks before today's hearing, the 20th of September. Mr Rankin said the tactic of the Applicant today was to pin everything on ██████████ and a statement by ██████████ would not outweigh the public interest in hearing the Application.

Ms Le Fevre said in response it was perfectly feasible for the Applicant to pursue a hybrid of options. Ms Le Fevre said they would not defend the indefensible but where a rebuttal could be made, it should be made fairly and on an even basis. Ms Le Fevre said it was PC Stewart who found the condom, which was then corroborated by PC Muldoon and not the other way round.

The Sub-Committee then went into private deliberations to consider the request for an adjournment.

The Sub-Committee returned and gave the following decision:

The Sub-Committee has considered a request for an adjournment from the Applicant to adjourn the hearing in respect of agenda item 1. The Sub-Committee has decided as per regulation 11 of the Licensing Act 2003 (Hearings) Regulations 2005 that it is not in the public interest to adjourn and that the hearing should go ahead. The Sub-Committee considers that the Applicant has had sufficient time to prepare for the hearing and the cases put forward by the Licensing Authority and the Metropolitan Police. The Applicant will have the opportunity to present its position during the course of the hearing, and the Applicant has known about the concerns of the responsible authorities in relation to breach of conditions for a significant period of time. The Sub-Committee also considers that there is a strong public interest in determining the application expeditiously. The application for an adjournment is therefore refused.

The Chair then informed those present that all three items before the Sub-Committee would be heard together. There were no objections to this course of action.

Ms Le Fevre outlined the applications to the Sub-Committee. Ms Le Fevre said she understood, given the comments in 2020, why their request for an adjournment had been denied. Ms Le Fevre said she had no instructions to defend the indefensible. Ms Le Fevre said that Members knew from the papers that the property was due to undergo a significant investment in 2024. Ms Le Fevre said that Members would want to hear how they had taken steps towards addressing issues that had been raised, some of which had already been taken by the Applicant company. Ms Le Fevre said it was the intention that the current premises licence holder pass on this licence to a new operator. Ms Le Fevre said that the first observation in the papers before Members was in February and that the manager at the time was no longer in place. Ms Le Fevre said it was shortly after this that ██████████ mother passed away, and during a period of between 6 to 8 weeks he was unfortunately out of action. During this time, Ms

Le Fevre said a general manager was employed to replace the previous manager and helped address the temporary absence of [REDACTED]

Ms Le Fevre said that Mr [REDACTED] was employed during this time and was seen as a reputable figure given he had previously worked for Westminster City Council. Ms Le Fevre said that her client came to understand that there were problems with how [REDACTED] was training staff and general performance. Ms Le Fevre said that the first step that had to be undertaken was the removal of [REDACTED], which has been actioned. Ms Le Fevre said that the staff were in the process of being overhauled and were being offered additional training. Ms Le Fevre then turned to the CCTV and the extent of its coverage. Ms Le Fevre said the CCTV is now in its third iteration, with each iteration seemingly more complex than the previous. Ms Le Fevre said that although it is not before Members, CCTV was provided to Metropolitan Police officers at the time. Ms Le Fevre said that the reconfiguration of the premises will remove the private booths and every instance of the prohibited touching was contained in there and there alone.

With regards to the variation applications, Ms Le Fevre said that nobody except the Licensing Authority had raised an objection. The variation applications had followed pre-application consultation with Environmental Health who confirmed no difficulties with the proposals. There was no change to the staircases, fire escape or the terrace used for smoking, showing there is no other space available for sexual entertainment. However, should the Sub-Committee decided to Condition this, Ms Le Fevre said that it would be accepted. Ms Le Fevre said that Environmental Health had the view that the variations could have been dealt with as minor variations given they did not concern variations in capacity.

The Sub-Committee asked when [REDACTED] was let go. [REDACTED] said he was let go just over a week ago, after being employed after the February visits.

The Sub-Committee asked about the CCTV and the upgrades that had been made. [REDACTED] said there was a system he was familiar with, but this became faulty. A second system was then put in place which was difficult to use, and some cameras were not functioning. [REDACTED] said Westminster City Council had said the clarity of the images was not of an adequate quality and that to address this, the system was upgraded again.

The Sub-Committee asked whether in 2019 during a previous renewal application, similar issues to those in this hearing were raised. The Sub-Committee said that it would seem not much had changed. In reply to this, [REDACTED] said there had been no issues or complaints raised during this time. [REDACTED] accepted that there were breaches during the 2019 period but in more recent times no issues had been raised. [REDACTED] said that during the February visit of this year, he was not present, and the manager was let go. As [REDACTED] had personal issues, [REDACTED] was brought in to ensure they were compliant.

██████████ said that in relation to obstructive behaviour he had not been working on the evening in question and that he had two inspectors talking on either side of him and he had raised his voice just to try to get one person to speak at a time.

██████████ said that now the bar staff and himself would manage the CCTV as well as their security staff. ██████████ confirmed he was the DPS, and Ms Tricker confirmed that the variation applications would not affect the first floor smoking terrace.

Ms Karyn Abbott from the Licensing Authority addressed the Sub-Committee and said the Licensing Authority still maintained their objection as they do not feel the operator is fit and proper to have a sexual entertainment venue licence. Ms Abbott said that the experience of ██████████ was worrying, as he should know how to run a sexual entertainment venue properly. Ms Abbott said that it is their opinion this renewal should be refused.

Mr Leroy Adedeji, City Inspector at Westminster City Council, addressed the Sub-Committee saying that they found that Conditions 10, 11 and 12 were all breached during their inspection. Mr Adedeji said that in September, a complaint was received concerning the behaviour of staff with several breaches of staff recorded with no attempt by other staff to stop these. Mr Adedeji said that he was told “a little touching was allowed” which was in direct breach of Conditions. Mr Adedeji asked for CCTV to be downloaded and the rules for performers to be adhered to at the premises. CCTV was presented to Mr Adedeji and when asked where the procedure for performers was, he was told this was not immediately available. Mr Adedeji summarised the visits made by City Inspectors as set out in the Agenda papers.

The Sub-Committee asked ██████████ about the claim that people had been told “some” touching was allowed. ██████████ said that he had been told by Westminster City Council that there was touching and then there was sexual touching. ██████████ said it was his fault for misunderstanding the difference.

The Sub-Committee asked Mr Adedeji if he felt as though the cameras were covering the appropriate places and he said on his visit that they were, and he was able to rewind the CCTV to view previous footage.

The Sub-Committee asked where the breaches of touching had been taking place, Mr Adedeji said these were within the private booths. The Sub-Committee said if these booths were removed, as planned, would the Licensing Authority be satisfied with the application. Ms Abbott said this was not enough as there were previous instances of Conditions being breach outside of the touching.

The Sub-Committee asked what the private room on the first floor would be used for. Ms Lana Tricker informed Members that this would be for VIP’s and could be booked for a private event although this was not the aim of the space. Following a discussion on conditions concerning the capacity of the smoking terrace and preventing any striptease or nudity on the first floor, Ms Abbott confirmed that

the Licensing Authority's concerns in relation to the Premises Licence variation application had been addressed.

Mr James Rankin, Counsel for the Sub-Committee then addressed the Sub-Committee. Mr Rankin's submissions related only to agenda item 1, the renewal application, and not agenda items 2 or 3, as the Metropolitan Police had not objected to the variation applications. Mr Rankin said that it was clear that Mr ██████████ had been thrown under the bus, with a new operator and new DPS to be put in place, who are both unknown to Members present. Mr Rankin said that 5 breaches were noted by Officers from the Metropolitan Police that attended on their visit. Mr Rankin said all breaches were serious, even with regards to the menu as this allows customers to know how much they will be paying. Mr Rankin said that when Mr Adedeji viewed the footage, this was not during the time frame requested and PC Muldoon had asked for a different time frame to be sent. Mr Rankin said that when this footage was sent by ██████████ ██████████ the pictures were unable to be viewed and Mr Rankin suggested this was deliberate on the part of ██████████. Mr Rankin said that the difference between touching and sexual touching was clear and could not realistically be confused; it was obvious that ██████████ still did not understand the conditions on the licence. Mr Rankin then read from the Sub-Committee decision in 2019 that stated if issues that had been previously raised to the previous Sub-Committee continued, then it would be "unlikely" that the licence would be renewed in the future. Mr Rankin said that the objection from the Metropolitan Police showed the applicant is unsuitable to hold a sexual entertainment venue licence.

The Sub-Committee asked if the breaches regarding touching all took place in the booths, and the Metropolitan Police confirmed this. The Sub-Committee asked if the removal of these alleviated the concerns they had and in reply, Mr Rankin said this would reduce some of their concerns regarding touching but the operator was still the same and all other breaches that took place outside the booths were as relevant as the ones that took place in the booths. Mr Rankin added in response to a question that the Applicant may have been a fit and proper person in previous years when the Metropolitan Police had not objected but this could change.

██████████ said he was repeating to staff what ██████████ had told him, which he said he understands now is wrong but at the time he was ill advised.

The Sub-Committee asked ██████████ whom he thought was responsible for understanding the Conditions on the licence. ██████████ said he thought a former City Inspector would know the rules, but it was for him to understand. ██████████ reiterated again he was ill advised.

The Sub-Committee asked about the welfare of the performers, and ██████████ informed Members that there are regular welfare calls and security to ensure their safety. ██████████ said that all employment checks are done and stored behind the bar area with necessary documentation. ██████████ said there were