



REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING

LICENSING SUB-COMMITTEE: 09/12/2021	Classification DECISION	Enclosure
Application for Review of Premises Licence: Ye Olde Axe, 69 Hackney Road, London, E2 8ET	Ward(s) affected Haggerston	

1. SUMMARY

Applicant: Robert Gardner		In SPA: Not Applicable
Date of Application 30 July 2021		
The Grounds for Review: <ul style="list-style-type: none"> The prevention of crime and disorder following numerous breaches of requirements under the The Health Protection (Coronavirus) Regulations 2020 Continued unlicensed operation as a sexual entertainment venue 		
Current Premises Licence Details: Premises Licence permitting 1) Sale by retail of alcohol 2) Regulated Entertainment See Appendix B		
Current Capacity	Unknown	
Policies Applicable	LP1 (General Principles), LP2 (Licensing Objectives) and LP11(Cumulative Impact – General)	
List of Appendices	Appendix A– Application requesting the review of the premises licence and supporting documents Appendix B – Current Licence Appendix C - Location map	
Relevant Representations	None	

2. APPLICATION FOR REVIEW OF PREMISES LICENCE

2.1 Robert Gardner on behalf of Licensing Service, as a responsible authority under the Licensing Act 2003, have applied for the review of the premises licences granted for the premises known as Ye Ole Axe on the grounds of prevention of crime and disorder. For further application details, see Appendix A.

3. CURRENT POSITION/ HISTORY

- 3.1 The premises were in possession of a justice's licence prior to the introduction of the Licensing Act 2003 in 2005. The premises licensee and DPS is Mr Thomas Melody.
- 3.2 The current premises licence is attached as Appendix B.
- 3.3 No Temporary Event Notices have been submitted for the current year.

4. REPRESENTATIONS: RESPONSIBLE AUTHORITIES

From	Relevant Representations details
Environmental Health Authority (Environmental Protection)	No representation received
Environmental Health Authority (Environmental Enforcement)	Have confirmed no representation on this application
Environmental Health Authority (Health & Safety)	No representation received
Weights and Measures (Trading Standards)	No representation received
Planning Authority	No representation received
Area Child Protection Officer	No representation received
Fire Authority	Have confirmed no representation on this application
Police	No representation received
Licensing Authority	N/A
Health Authority	No representation received

5. REPRESENTATIONS: INTERESTED PARTIES

From	Details
Representation received from and on behalf of local residents.	No representation received

6. REPRESENTATIONS: LICENSEE

- 6.1 No representation has been received from the licensee.

7. POLICY CONSIDERATIONS

- 7.1 The Licensing Sub-Committee is required to have regard to the Hackney Statement of Licensing Policy ("the Policy") adopted by the Licensing Authority.

7.2 Extracts from Licensing Policies are reproduced at the front of the agenda for this meeting.

7.3 The Policy applies to applications where relevant representations have been made. With regard to this application, policies, LP1 (General Principles), LP2 (Licensing Objectives) and LP11 (Cumulative Impact – General) are relevant.

8. GUIDANCE CONSIDERATIONS

8.1 The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

9. OFFICER OBSERVATIONS

9.1 N/A

10. REASONS FOR OFFICER OBSERVATIONS

10.1 N/A

11. LEGAL IMPLICATIONS

11.1 A legal representative will be in attendance to advise Members.

12. LEGAL COMMENTS

12.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;

- The Prevention of crime and disorder
- Public Safety
- Prevention of public nuisance
- The protection of children from harm

12.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

13. HUMAN RIGHTS ACT 1998 IMPLICATIONS

13.1 There are implications on Article 6, Article 8, Article 14 and the First Protocol of Article 1.

14. MEMBERS DECISION MAKING

14.1 Members must, having regard to the application and any relevant representations, take such steps (if any) as it considers necessary for the promotion of the licensing objectives.

14.2 The steps are:

- A. **Option 1**
Take no action
- B. **Option 2**
Modify the conditions of the premises licence.
- C. **Option 3**
Exclude a licensable activity from the scope of the premises licence.
- D. **Option 4**
Remove the designated premises supervisor.
- E. **Option 5**
Suspend the premises licence for a period not exceeding three months.
- F. **Option 6**
Revoke the licence.

15. CONCLUSION

15.1 That Members decide on the application for review of the premises licence.

GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING	Ajman Ali
Lead Officer (holder of original copy):	Shan Uthayansangar Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 2431

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

Description of document	Location
Office File: Ye Olde Axe, 69 Hackney Road, London, E2 8ET	Licensing Service 1 Hillman Street London E8 1DY

Printed matter

Licensing Act 2003
LBH Statement of Licensing Policy

Hackney

LA 40

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Robert Gardner (on behalf of the Licensing Authority).....

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Ye Olde Axe 69 Hackney Road	
Post town London	Post code (if known) E2 8ET

Name of premises licence holder or club holding club premises certificate (if known) Thomas Joseph Melody

Number of premises licence or club premises certificate (if known) LBH-PRE-T-0139

Part 2 - Applicant details

I am

Please tick **yes**

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

**Current
postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address Robert Gardner Enforcement and Business Regulation Manager Hackney Service Centre 1 Hillman Street London E8 1DY
Telephone number (if any)
E-mail address (optional) robert.gardner@hackney.gov.uk

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- | | |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety | <input type="checkbox"/> |
| 3) the prevention of public nuisance | <input type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

Please state the ground(s) for review (please read guidance note 2)

This premises requires a review of its premises licence in respect of the Licensing Objective concerned with the prevention of Crime and Disorder.

Referring to statements attached to this document, the premises has demonstrated a woeful disregard of legal requirements both for completely failing to put in place any legal requirements for protecting customers and staff during the COVID epidemic and operating as Sexual Entertainment Licence whilst not having a licence to do so.

COVID requirements: During the period 23rd March 2020 to 19th July 2021 premises had to operate strict measures to prevent the spread of disease. On two separate occasions (Sunday 4th July 2021 and Friday 9th July 2021), officers entered the premises and saw no restrictions in place. To wit there were no posted QR codes for customers to scan nor were customers required to give and records made of the contact details, Inside the premises there was no social distancing, no table service, patrons were served at the bar and patrons and staff alike did not wear face coverings. All these failures were observed on the two occasions.

The premises was acting as a Sexual Entertainment Venue. Customers were approached or appeared to be able to approach numerous women in the bar area and were escorted by the women to a large upstairs room where for either £40 or £60 the women stripped completely exposing their intimate private parts to the men. These performances were witnessed by Council officers on the two consecutive weekends in July 2021 detailed above. The 'performances' were intimate and physical, breaching many requirements and standards usually demanded by premises operating as Sexual Entertainment Venues. This premises was formerly licensed and does not have a current SEV licence in any event as no application was made to renew. As part of COVID restrictions all premises offering sexual entertainment had to cease these activities.

The trading and sexual activity permitted and allowed by the licensee, an experienced individual well versed in licensing legislation, was unlawful in every aspect. Correspondence sent by Environmental Health to the Licensee was also unable to be delivered by Royal Mail suggesting that there is no person in control of the site. We ask that the premises licence is revoked.

Please provide as much information as possible to support the application

(please read guidance note 3)

- Statement of Channing RIVIERE, Principal Licensing Officer
- Statement of David TUITT, Business Regulation Team Leader - Licensing & Technical Support
- Statement of Robert GARDNER, Enforcement & Business Regulation Manager
- Statement of Terry ENGLISH, Enforcement Officer
- Evidence Royal Mail unable to deliver correspondence via recorded delivery (Track and Trace)

Please tick ✓

yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you have made representations before relating to the premises please state what they were and when you made them

Please tick

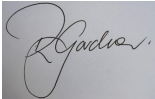
✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**



Signature:

.....

Date: 29 July 2021

.....

Capacity: Applying on behalf of the Licensing Authority

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

STATEMENT OF WITNESS

(C.J. Act 1967 S.9, M.C. Act 1980 s.s.5A(3)(a) & 5B; M.C. Rules 1981 R.70)

STATEMENT OF	CHANNING RIVIERE
AGE OF WITNESS	Over 18
OCCUPATION OF WITNESS	Principal Licensing Officer
ADDRESS	Licensing Service, Hackney Service Centre 1 Hillman Street, London E8 1DY

This statement (consisting of two pages 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.

1. I am employed by the London Borough of Hackney as a Principal Licensing Officer within the Council's Licensing Service and am based at the Hackney Service Centre, 1 Hillman Street, London E8 1DY. I am an authorised Officer who may enforce the provisions under the Licensing Act 2003 on behalf of the London Borough of Hackney under delegated authority. I have been the Principal Licensing Officer since 2017, and I have worked in Hackney Licensing Services since 2014. I have worked at Hackney Council since 2012.
2. My duties include consulting on applications for premises licences and other licensable activities, carrying out investigations into complaints from local residents, dealing with enforcement action and prosecutions, working with other Responsible Authorities, dealing with review applications and representing the Licensing Authority at Licensing Sub-Committees.
3. On the 4th July 2021 at approximately 00:20, my colleague David TUITT and myself visited the premises known as Ye Olde Axe, 69 Hackney Road, Hackney, London, E2 8ET.

SIGNED

DATE:

4. The visit was made to the premises as part of routine inspection visits to check compliance with the Licensing Act 2003 and at the time with Covid regulations, the premises had also failed to submit a renewal application for the Sexual Entertainment Venue (SEV) licence.
5. At approximately 00:20 on Sunday 4th July 2021, Mr TUITT and myself approached the venue to enter and were charged £10.00 each to enter the premises. After entering the premises, I observed that several patrons were being served at the bar and it did not appear that any seated table service was taking place. Mr TUITT and myself proceeded to walk to the bar area. After waiting a few moments for the patrons in front of us to be served, Mr TUITT purchased 2 bottles of lager from the bar and handed one of them to myself. I tasted the beverage and confirmed that it was an alcoholic beverage.
6. As I was standing in the bar area, a young woman approached me and asked me if “I would like a dance?” I asked her how much it would cost for a dance and she informed me that it would be £40.00 for the duration of one song and £60.00 for the duration of two songs. I agreed to go with her for the duration of one song. She told me to follow her and proceeded to lead me to an area upstairs where a room was located that contained a number two seater sofas. As I entered this room I observed a patron of the premises receiving a lapdance from one of the staff of the venue, I sat down on one of the sofas and the woman who had led me upstairs asked me to pay the required fee for a lapdance, I gave her a £50.00 note which she put into her small handbag and then gave me a £10.00 note from the handbag in change. She then proceeded to perform the lap dance and striptease, during the lap dance she touched me on multiple occasions, sitting on my lap, grabbing my crotch area and saying to me that it was fine if I wanted to grab her breasts. After the lap dance had finished, I went back downstairs and noticed my colleague Mr TUITT had taken a seat at a table near the entrance of the premises so I went and sat with him.

SIGNED

DATE:

7. Mr TUITT and myself sat on one of the tables and continued to observe the premises and patrons being served at the bar with no seated table service taking place. After a brief moment, we were approached by a woman who asked if we would like a dance. I replied that I had already had one but that Mr TUITT may want one. The woman then asked Mr TUITT if he would like a dance and he accepted and left the table with the woman and headed in the direction of the stairs at the rear of the premises.

8. Whilst I was sitting by myself on the table I took two photographs on my work phone to document the use of the bar area and patrons standing there, as I held my phone in my hand, I was immediately accosted by the doorman who saw my phone and told me to delete the picture. I deleted one of the photographs and I was then told to leave the premises by the doorman. The remaining photograph can be seen in Exhibit CR/1.

SIGNED

DATE:

STATEMENT OF WITNESS

(C.J. Act 1967 S.9, M.C. Act 1980 s.s.5A(3)(a) & 5B; M.C. Rules 1981 R.70)

STATEMENT OF	DAVID TUITT
AGE OF WITNESS	Over 18
OCCUPATION OF WITNESS	Business Regulation Team Leader - Licensing and Technical Support
ADDRESS	Licensing Service, Hackney Service Centre 1 Hillman Street, London E8 1DY

This statement (consisting of three pages 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.

1. I am employed by the London Borough of Hackney as the Business Regulation Team Leader - Licensing and Technical Support. My duties include investigating and enforcing provisions under various pieces of legislation including the Licensing Act 2003 and the Local Government (Miscellaneous Provisions) Act 1982.
2. On Saturday 3rd July 2021 I was undertaking routine enforcement and compliance visits accompanied by Channing RIVIERE, Principal Licensing Officer.
3. We visited the premises known as Ye Olde Axe located at 69 Hackney Road, London E2 8ET at approximately 00:20 on Sunday 4th July 2021. We approached a gentleman at the door who appeared to be an SIA registered door supervisor and asked him how much it was to get in, to which he replied "£10". I paid the entry fee for myself and Mr RIVIERE using a £20 note. As we entered I noted that there was no QR code displayed on the door. I asked if there was table service to which the gentleman replied "If you can find a table".

SIGNED

DATE

4. We walked through the second set of doors and into the bar area. I noted what appeared to be a gaming machine immediately in front of the door, several gentlemen standing with what appeared to be drinks in their hands. A large group of males were wearing replica England football shirts. Some more gentlemen were also seated on tall chairs in front of the bar. A section of the bar appeared to be closed off by a curtain. I noted a number of females standing and also some sitting on seats and around a raised stage area.
5. I approached the bar and after a brief wait I was served by an IC1 female, approximately 5'6, mid to late 30s with blond hair. The female was wearing a replica England football shirt. I asked for bottles of Corona lager. I was given two bottles of Corona lager for which I paid £11.00. I handed one of the bottles of Corona lager to Mr RIVIERE.
6. I initially was not given a receipt so I asked the IC1 female for a receipt. She printed the receipt and handed it to me. I have attached this as Exhibit DT/1. I noted the transaction time of 23:44 on the receipt but I recorded the transaction at 00:25. After receiving the receipt I turned and noted that it appeared that Mr RIVIERE was speaking to an IC1 female, approximately 5'4 with dark hair. Mr RIVIERE then followed as the female led him toward the rear of the bar away from the entrance. I remained standing with my back to the bar for approximately 5 minutes before heading to a seating area close to the entrance. I sat down and noted two gentlemen appearing to be of South Asian descent sitting opposite.
7. A short while later, Mr RIVIERE returned and sat down next to me. Mr RIVIERE and I had a brief conversation and continued to make observations before we were approached by an IC1 female with blond hair, approximately 5'5, wearing a white dress. The female introduced herself as "Isabella" and asked if we would like to go for a dance. Mr RIVIERE replied and said "I have already had one but my friend might want to have one". "Isabella" then asked me if I would like a dance to which I replied "Yes". I then stood up and followed "Isabella" toward the rear of the site and then left through a door which led to a set of stairs.

SIGNED

DATE

8. I followed "Isabella" up the stairs and into a room. The room was dressed with red coloured fairy lights and two rows of what appeared to be very heavily worn leather sofas. There was a music system in the far corner. I noted an IC1 gentleman in the far right corner of the room with an IC1 female who appeared to be dancing in front of him. "Isabella" led me toward the far left corner of the room. Before I sat down, "Isabella" said "£60". I handed "Isabella" £60 in the form of a £50 note and a £10 note.

9. I then sat down and placed my drink on the floor before "Isabella" asked me to remove my coat. I removed my coat and "Isabella" began dancing. During the performance, "Isabella" removed her dress, sat on my lap and kneeled down touching my thighs and inner groin area. "Isabella" then continued to remove her bra whilst dancing. During the dance "Isabella" knelt on my lap and pulled my head into her breasts. "Isabella" then stood up and removed the rest of her underwear whilst continuing to dance. "Isabella" again sat on my lap and would kneel down touching my thighs and inner groin area. The performance lasted approximately 6 minutes. At the end of the performance, "Isabella" began to put her clothes back as I put on my coat before she led me back out of the room. At this time I noted another IC1 female leading an IC1 male up the stairs and into the room I had just left.

10. I returned downstairs to the main bar area and went to stand at the corner of the bar nearest the entrance. I checked my phone and noted text messages from Mr RIVIERE telling me that he had left. I exited the premises at approximately 00:45.

SIGNED

DATE

STATEMENT OF WITNESS

(C.J. Act 1967 S.9, M.C. Act 1980 s.s.5A(3)(a) & 5B; M.C. Rules 1981 R.70)

STATEMENT OF	ROBERT GARDNER
AGE OF WITNESS	Over 18
OCCUPATION OF WITNESS	Enforcement and Business Regulation Manager
ADDRESS	Licensing Service, Hackney Service Centre 1 Hillman Street, London E8 1DY

This statement (consisting of three pages 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.

1. My name is Robert Gardner and I am the Enforcement and Business Regulation Manager for the London Borough of Hackney and as such I have a responsibility for the proper administration and enforcement of the Alcohol Licensing Act 2003 and other relevant legislation.
2. This statement concerns a recent visit on Friday 9th July 2021 I took in the company of Mr Terry English, Enforcement Officer to YE OLDE AXE, 69 Hackney Road, London, E2 8ET. As a result of information received and an earlier visit by Mr David Tuitt and Mr Channing Riviere it was suspected that the premises was not abiding to the COVID regulations concerning trading and that it was operating as a Sexual Entertainment Venue (SEV) without a licence. It was determined that we would make a series of test purchases to establish further these alleged criminal offences.
3. I met with Mr English at approximately 22:00 just outside the church on Hackney Road. I gave Mr English £100 in ten pound notes and we proceeded to walk up toward the Ye Olde Axe. At about 22:15 we reached the entrance and walked in. There was a doorman at the inner entrance and he explained there was a £5 entrance fee. I handed him £10 for both myself and Mr English and we entered .

SIGNED

DATE

4. There was no posted QR code at or near the entrance nor indeed anywhere else within the premises. The doorman did not ask for any contact details. There were no warning posters or other published information throughout the premises referring to social distancing or the wearing of face coverings. No one in the premises, staff nor customers were wearing masks or other face coverings. The entire venue appeared to be trading as if there were no COVID restrictions.
5. Upon entering the premises I saw disparate small groups of people standing around the bar area and a few seated individuals in groups. All the men had drinks and there was no table service that I could see. We walked over the bar to where there were a number of women and men standing and seated, some in conversation. As I was ordering, Mr English was approached by one of the women and started talking with her. I ordered two bottles of beer and was charged £10, which I handed over. I did not ask for a receipt. I gave one of the bottles to Mr English and he then walked off to a different part of the bar area with the women. I walked slightly away and stood by the bar next to two women.
6. I struck up a conversation with the nearest woman who gave her name as Rachel. She offered to dance for me and made various sexual movements. She said that a dance would cost £60. I agreed and she got up and I followed her through the bar and up the stairs to a large first floor room. The room had very subdued lighting and had a number of low sofas roughly down the centre of the room. Dance music was playing and there were three other couples present. These consisted of seated clothed men and women very closely and intimately dancing in various states of undress; their breasts and genital regions were exposed. The women and men were touching and stroking each other.
7. I counted out £60 in 6 ten pound notes and gave this to Rachel and she then indicated I should sit down, she then proceeded to strip and dance. The dance involved a lot of close and intimate physical contact. She removed all her underwear and completely exposed her breasts and genital area. During her dance she pushed her body and breasts into my face, stroked my legs, thighs and grabbed my crotch.

SIGNED

DATE

8. After about 5-6 minutes she indicated that the dance was over and started to dress . I picked my drink up from the floor, stood up, thanked her and began to leave. As I exited the room I noticed Mr English was being danced to by the woman he had met downstairs.
9. I went down the stairs and returned to the bar. I remained standing. I again noticed that only a few people were seated and that people were purchasing drinks from the bar and that there was no table service and no masks were being worn.
10. A few minutes later I was joined by Mr English, we talked for a short while, finished our drinks and left the premises at 22:35.
11. At approximately 22:50 I returned to the premises with Mr David Tuitt, Business Regulation Team Leader and two Metropolitan Police Officers from the local Neighbourhood Task Force. We showed our identification to [REDACTED] [REDACTED] who identified himself as the head doorman and explained the purpose of our visit.
12. After conversing with [REDACTED], Mr Tuitt, the Police and I left the premises at approximately 23:05.

SIGNED

DATE

STATEMENT OF WITNESS

(C.J. Act 1967 S.9, M.C. Act 1980 s.s.5A(3)(a) & 5B; M.C. Rules 1981 R.70)

STATEMENT OF	TERRY ENGLISH
AGE OF WITNESS	Over 18
OCCUPATION OF WITNESS	Enforcement Officer
ADDRESS	Licensing Service, Hackney Service Centre 1 Hillman Street, London E8 1DY

This statement (consisting of four pages 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.

1. I, Terry James ENGLISH with Call Sign (EO22), am an authorised Officer of the Council for London Borough Of Hackney. I am currently not a fully accredited officer, however, I was in the company of Enforcement and Business Regulation Manager Mr. Robert GARDNER for the London Borough Of Hackney.
2. This statement is about an incident at YE OLDE AXE located at 69, Hackney Road, London, E2 8ET.
3. On Friday 9 July 2021 at 22:15 I arrived at the premises accompanied by Mr. Robert GARDNER. Upon our arrival outside the premises I observed four unknown IC3 males. I was approached by one of these unknown IC3 males, average age early 50's wearing a mariner baker boy hat in black with white writing on it. The IC3 male stated, after our visit at the premises, a planned after party will take place where we are welcome to attend after the venue has closed.

SIGNED

DATE

4. Mr. Robert GARDNER and I entered the premises and approached an IC1 gentleman at the door who appeared to be an SIA registered door supervisor. Mr. Robert GARDNER asked him how much it was to get in, to which he replied "£5". Mr. Robert GARDNER paid the entry fee for himself and I using a £10 note. Upon our entry no contact details were requested by the door supervisor. As I entered I observed there were no COVID restrictions in place and no QR code available upon entry and later observed throughout the premises.
5. Mr. Robert GARDNER and I walked through the second set of doors into the bar area. I noted upon entry directly in front of me before turning left, what appeared to be a gaming machine immediately in front of the door, with a large sofa and tables set out untidily next to it with several IC1 females standing around at the end of the bar. I noted to my left a large round shaped sofa with a white table and several IC1 females seated around talking to each other with a single IC4 male sat amongst them. I could not hear what they were saying.
6. Along the left side were other seating arrangements which were fully occupied by males and females. No one was wearing a face covering within the premises, neither customers nor staff. No face coverings were requested or signage displayed requesting face coverings. There appeared to be no waiting at the tables with customers and staff. Customers were standing throughout the premises, and a number at the bar.
7. Mr. Robert GARDNER and I approached and were served at the bar in no time. Mr. Robert GARDNER ordered two bottles of beer, one Corona beer for me and one Heineken beer for himself which he paid with a £10 note. Mr. Robert GARDNER handed the bottle of Corona beer to me before being requested by an IC1 female to be seated as we were served and started consuming a drink. I initially did not witness a receipt being issued for the purchase of the drinks or for a receipt being requested by Mr. Robert GARDNER.

SIGNED

DATE

8. During this time Mr. Robert GARDNER and I were approached by various women. I was approached by a specific IC1 female, later known as "Jennifer", who expressed knowing me and if I remembered her as she started touching and caressing me, I accepted this action, and was escorted by her to the nearest sofa by the main entrance door where we sat down and spoke for a few minutes.
9. The IC1 female stated she is known as "Jennifer", average age mid twenties, F508, with medium length brown hair tied up at the back, wearing a black and white multi-coloured tight fitting short body dress. "Jennifer" explained to me she is originally from Moldova and has been in the United Kingdom for two years.
10. From my seated position, I observed Mr. Robert GARDNER speaking to an IC1 female, shortly afterwards I noticed Mr. Robert GARDNER being escorted toward the rear of the bar away from the entrance by the IC1 female. "Jennifer" observed my action and asked me if I would like a dance to which I agreed, "Yes". I stood up and was escorted the same direction toward the rear of the bar away from the entrance through an open door, first turning left, then turning right, down a small flight of stairs across a short parallel corridor landing, up a flight of stairs and up another flight of stairs.
11. At the top of the staircase I turned left and immediately right and entered a room which was darkly lit and dressed with red coloured fairy lights and two rows of what appeared to be very heavily worn leather sofas. There was a music system in the far corner. I noticed an IC1 gentleman in the front of the room with an IC1 female who appeared to be providing a dance for him. I noticed at the same moment another IC1 gentleman on the far side with an IC1 female who appeared to be providing a dance for him too. "Jennifer" led me to a separate sofa in the middle of the two gentlemen. Before I sat down, I asked "Jennifer". How much? "Jennifer" stated "£60". I handed "Jennifer" £60 in the form of six £10 notes, which she counted out and agreed.

SIGNED

DATE

12. I sat down and placed my drink on the floor as “Jennifer” began dancing, removing her black and white multi-coloured tight fitting short body dress and her bra whilst dancing. During the performance, “Jennifer” sat on my lap and knelt down touching my thighs and inner groin area resulting in very intimate touching. In addition, “Jennifer” verbally stated to me, “You can touch”, verbally consenting to being touched by me, however, strongly advised me against any form of penetration. During the dance “Jennifer” knelt on my lap and pulled my head into her breasts. “Jennifer” again sat on my lap and would kneel down touching my thighs and inner groin area. The performance continued and lasted approximately 6 minutes. At the end of the performance, “Jennifer” began putting her clothes on, I stood up as “Jennifer” led me back out of the room.
13. At this time I noted another IC1 female leading an IC1 male into the room I had just left. I returned downstairs to the main bar area and went to stand at the corner end of the bar where I met up with Mr. Robert GARDNER and we continued to speak for several minutes. During this time Mr. Robert GARDNER and I were approached on different occasions by various other IC1 females inviting both Mr. Robert GARDNER and I for further dances. However, Mr. Robert GARDNER and I duly declined.
14. Mr. Robert GARDNER and I finished our drinks and departed from the premises. Upon exiting the premises, I was approached by the same unknown IC3 male, average age early 50's wearing a mariner baker boy hat in black with white writing on it. The IC3 male stated and reminded Mr Robert GARDNER and I regarding the planned after party that was going to take place and we were welcome to attend after the venue had closed. No further venues regarding the after party were mentioned at this time.
15. Mr. Robert GARDNER and I left the premises which I noted at approximately 22:35.

SIGNED

DATE



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DL974035514GB

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Tuesday 13 July 2021

13:17

Available for Redelive
Bishops Stortford DO



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29 Jul 2021 at 17:48:22
1 Hillman St
London
England
E8 1DY
United Kingdom

igned For posting receipt

Royal Mail®

Address *WOMENS AND YOUNG SUPPORT*
MARKING SERVICE CENTRE, 1 HILLMAN STREET
WICKNEY, LONDON
Postcode *E8 1DY*

Details of each item being sent

Address [Redacted]
Address [Redacted]

Address *Thomas mclough*
[Redacted]
Postcode [Redacted]

Item reference
DL 9740 3551 4GB

Address [Redacted]

Address _____
Postcode _____

Item reference
| | | | | | | | | |

Address _____
Postcode _____

Item reference
| | | | | | | | | |

Address _____
Postcode _____

Item reference
| | | | | | | | | |

Total no. items Sender's signature *1* Sender's printed name For official use Date Stamp



This premises licence has been issued by:

Licensing Service
2 Hillman Street
London E8 1FB

PART A – PREMISES LICENCE

Premises Licence Number

LBH-PRE-T-0139

Part 1 – Premises details

Ye Old Axe
Ye Olde Axe Public House
69 Hackney Road
Hackney
London
E2 8ET

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Live Music
Recorded Music
Performance of Dance
Supply of Alcohol

The times the licence authorises the carrying out of Licensable activities

Live Music

Standard Hours:

Premises:

Mon 12:00-23:00
Tue 12:00-23:00
Wed 12:00-23:00
Thu 12:00-23:00
Fri 12:00-23:00
Sat 12:00-23:00
Sun 12:00-23:00

Recorded Music

Standard Hours:

Premises: Mon 11:00-02:30
Tue 11:00-02:30
Wed 11:00-02:30
Thu 11:00-02:30
Fri 11:00-06:30
Sat 11:00-06:30
Sun 11:00-02:30

Performance of Dance **Standard Hours:**

Premises: Mon 12:00-02:30
Tue 12:00-02:30
Wed 12:00-02:30
Thu 12:00-02:30
Fri 12:00-03:00
Sat 12:00-03:00
Sun 12:00-22:30

Supply of Alcohol **Standard Hours:**

Premises: Mon 11:00-02:00
Tue 11:00-02:00
Wed 11:00-02:00
Thu 11:00-02:00
Fri 11:00-06:00
Sat 11:00-06:00
Sun 11:00-02:00

The opening hours of the premises

Premises **Standard Hours:**

Mon 11:00-02:30
Tue 11:00-02:30
Wed 11:00-02:30
Thu 11:00-02:30
Fri 11:00-06:30
Sat 11:00-06:30
Sun 11:00-02:30

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

On Premises

Part 2 –

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Mr Thomas Joseph Melody

████████████████████
████████████████
██████ ██████

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

Not Applicable

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

Mr Thomas Joseph Melody

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

Date of Grant: 24 November 2005

Signed:

**David Tuitt
Team Leader - Licensing**

Annex 1 - Mandatory Conditions

Supply of Alcohol

1. No supply of alcohol may be made under the premises licence:
 - (a) At a time when there is no designated premises supervisor in respect of the premises licence.
 - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3.
 - (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).
4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
5.
 - 5.1. The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sales or supply of alcohol.
 - 5.2. 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 a holographic mark.

6. The responsible person shall 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:
 - beer or cider: 1/2 pint;
 - gin, rum, vodka or whisky: 25ml or 35ml; and
 - still wine in a glass: 125ml; and
 - b) customers are made aware of the availability of these measures.

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.

7. 7.1 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.

7.2 For the purposes of the condition set out in paragraph 7.1 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.

7.3 Where the permitted price given by Paragraph 8.2(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.

7.4 (1) Sub-paragraph 7.4(2) below applies where the permitted price given by Paragraph 7.2(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.

Annex 2 – Conditions consistent with the Operating Schedule

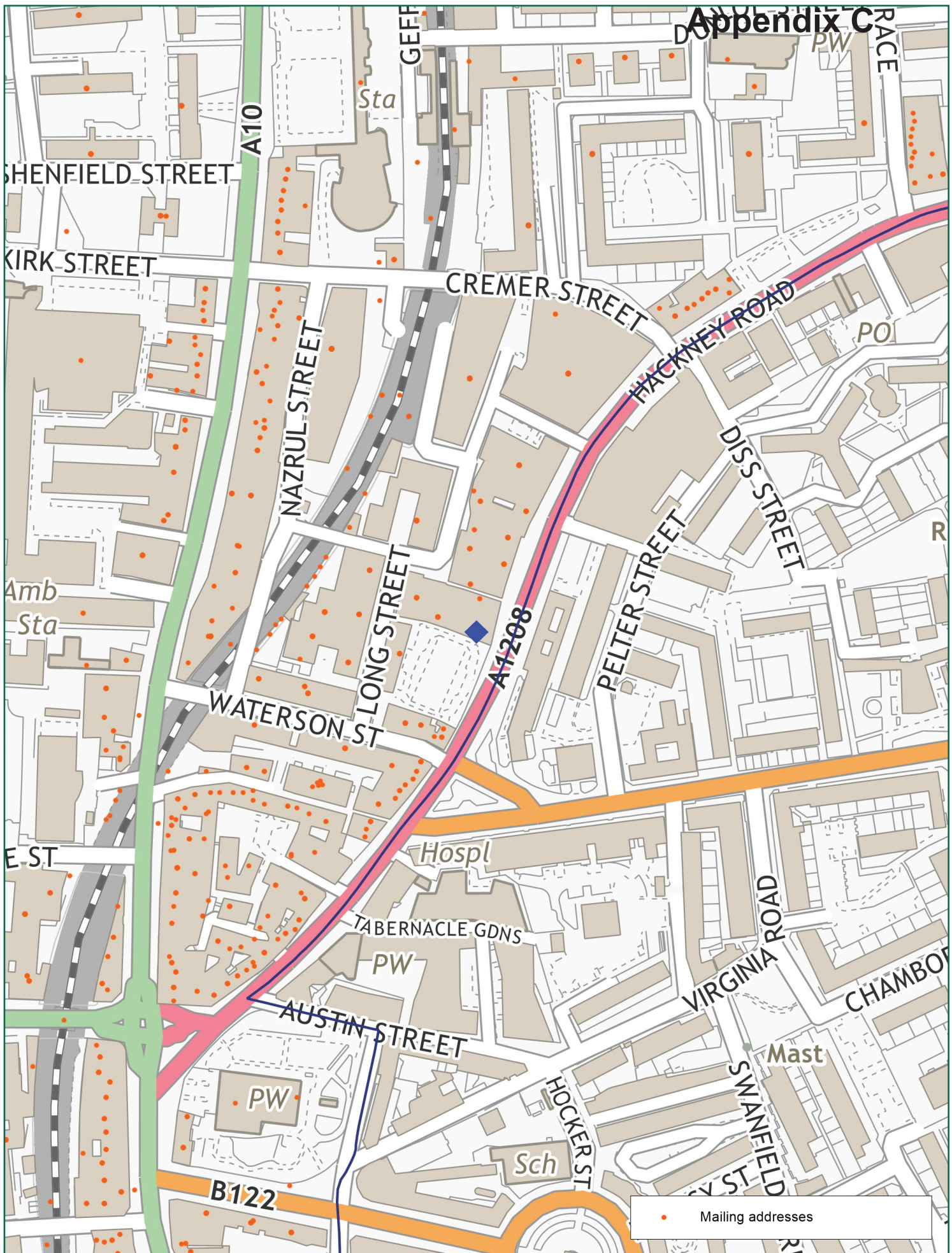
8. Premises to be supervised by persons performing a security activity at all times.
9. Two external CCTV cameras and three internal CCTV cameras to be kept and maintained.
10. Admission into the premises will be refused to persons under 21 years of age.
11. Security staff will summon an arranged taxi firm on patrons' request.
12. Recorded music to be permitted during opening hours of the premises, but after 11:00 must be at a level as to allow face-to-face conversation at normal speech level.
13. The maximum number of people accommodated at any one time shall not exceed 100.
14. That the premises shall not be used for the provision of regulated entertainment until officers from the Council's Building Control Service have confirmed in writing that the premises are technically suitable for the intended use (by applying of relevant technical regulations).

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


Not Applicable

Annex 4 – Plans


PLAN/LBH-PRE-T-0139/050706



• Mailing addresses

 NORTH

Scale: 1:2500 at A4

 Hackney

Ye Olde Axe, 69 Hackney Road, E2 8ET

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Wednesday, November 3, 2021	email:	