



Brent

APPLICATION FOR A REVIEW OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE

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 **Police constable**, Philip Graves on behalf of the commissioner of the Metropolitan Police Service.....

[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

Name and postal address of premises or, if none, ordnance survey map reference or description	
The Aura 763-765 Harrow Road Wembley	
Post Town London	Post Code HA0 2LW
Name of premises licence holder or club holding club premises certificate KN Bros Limited [REDACTED] [REDACTED]	
Number of premises licence or club premises certificate 164845	

Part 2 - Applicant details

I am

Please tick ✓ Yes

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
 - b) a body representing persons living in the vicinity of the premises
 - c) a person involved in business in the vicinity of the premises
 - d) a body representing persons involved in business in the vicinity of the premises
- 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

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick ✓ Yes

I am 18 years old or over

Current postal address
if different from
premises address

Post Town

Postcode

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 PC Philip Graves 3122NW Wembley Police Station 603 Harrow Road Wembley HA0 2HH
Telephone number (if any)
E-mail address (optional) [REDACTED]

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

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

The Aura is a night club situated on the Harrow Road close to Sudbury Train Station. It is surrounded by various shops with residential properties above and opposite. Its current license allows the venue to have regulated entertainment, late night refreshments and the sale of alcohol on the premises. These licensable activities are permitted between the following hours:-

Monday	11.00hrs	01.00hrs
Tuesday	11.00hrs	01.00hrs
Wednesday	11.00hrs	01.00hrs
Thursday	11.00hrs	01.00hrs
Friday	11.00hrs	02.00hrs
Saturday	11.00hrs	02.00hrs
Sunday	11.00hrs	01.00hrs

The Aura has a long history of crime, ASB, hearings and licensing breaches and obstructive staff going back several years.

18th of October 2022

The venue was reviewed on the 18th October 2022 by Brent Council's Noise Control Team (NCT). A quote from Martin Woods from the NCT below:

'The NCT had exhausted every advisory avenue in assisting the licence holder to prevent public nuisance and had compiled strong and consistent evidence of a business failing to stop the same. As a responsible authority they felt they had no alternative but to demonstrate those failings and invite the committee to impose changes to the licence conditions.'

3rd November 2022

Less than two months later the Metropolitan Police instigated an expedited review of the venue. This was due to the tragic death of a young man who was stabbed to death after being involved in incident inside the venue on 30th of October 2022. The failings of the club were highlighted by the Met prosecutor, quoted below:

"A failure of the age verification procedures since not every customer had their I.D. scanned; the access by the police to CCTV footage had initially been obstructed. There was not an appropriate gender mix of security staff, no women were working as security staff. The log record of security staff was not kept properly. Customers were observed entering and re-entering the premises after the permitted time for doing so.

The overall failure to properly run the venue security had contributed to the possibility of the incident. Furthermore, the staff had not called the police when the fight broke out in the street, they had locked the doors and ignored the incident. Such attitudes were not conducive to the licensing objective of promoting the reduction of crime and disorder."

Neither of these two hearings resulted in the revocation of the license, but an additional set of conditions which currently stands at forty-five (45) conditions.

Please provide as much information as possible to support the application (please read guidance note 2)

Below is a list of the licensing visit and licensing breaches at the Aura since the review in November 2022.

Sunday 21st of May 2023

On the above date an allegation of assault on a SIA staff member was made to the police, crime Reference 1912703/23. When police attended that evening staff were unable to provide the CCTV footage required to investigate the offence, which is a breach of the premises license.

Sunday 2nd of July 2023

On the above date an allegation of assault was made at the venue, crime reference number 1918314/23 refers. When officers attended staff there were unable to download the CCTV footage required, again another requirement of the premises license.

Sunday 6th of August 2023

VISIT (ONSITE VISIT)

On 06/08/2023 PC Graves and PS Clarke attended the Aura Lounge between 18.30 and 18.45 hours when the venue was open and in business. There we spoke to Ms Justyna Lukiewicz one of the managers at the venue..

Whilst there we asked to view the CCTV from 00.00 hours on that same day Saturday night / Sunday morning for the camera(s) covering the garden / external area. Ms Lukiewicz took us to the CCTV room but was unable to show us the footage we requested. I explained to Mr Lukiewicz of the following condition on her license :-

34. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

She then stated that 'Sam' could access the CCTV but he had just popped out to the shops. Ms Lukiewicz phoned Sam and passed her mobile to me. I explained who I was and that I wanted to view the CCTV. Sam said he could come down and that he was at home (not the shops). He said he could be there by 21.00 hours which was just over two hours. I explained that he was breaching condition 34 of his license by not having someone at the venue who could provide police or the local authority with CCTV while the venue was open.

It is disappointing that Ms Lukiewicz stated that 'Sam' was just 'down the shops' and had just popped out when in fact he was at home, over two hours away from The Aura

Sunday 13 August 2023

On the above date Martin Wood (Principal Nuisance Control Officer from Brent Council) attended the Aura due to a noise complaint. Mr Wood attended at 00.20 hours where he witnessed approximately eighty (80) patrons within the partially enclosed garden area. This is a breach of condition twenty-eight (28) of the premises license which states:-

28. The use of the enclosed garden area or other external area to cease after 23.30pm.

CCTV footage was requested from the venue

Monday 4th of September 2023

After CCTV footage had been requested an allegation of burglary was made by the Aura with various items been taken including the CCTV system, crime reference number 1924654/23 refers.

This burglary meant the venue was again unable to provide their CCTV when requested by police.

Friday 14th June 2024

On Friday the 14th of June, Esther Chan from Brent Council's licensing team attended the Aura and conducted a licensing check at the venue. While there she found the following offences and invited Mr Simon Rad to attend Brent Civic Centre

where these offences were discussed.

Condition 1 - Door supervisors shall wear clothing that can be clearly and easily identified on CCTV.

Comment – The female door staff failed to wear clothing including her badge that can be clearly and easily identified on CCTV

Condition 2 - A register/log containing the names, badge number, dates & times of duty of security staff and any incidents that occur shall be kept and made available to the Police and Licensing Authority.

Comment – On viewing the log book, the last entry was recorded on 6 June 2024.

Condition 4 - A "Challenge 21" policy shall be adopted and adhered to at all times.

Comment – I was told that under 18s are not permitted to purchase alcohol. There were no indication that Challenge 21 policy is adopted.

Condition 7 - An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of Brent Council 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 faults in the CCTV system or searching equipment or scanning equipment
- (e) any refusal of the sale of alcohol
- (f) any visit by a relevant authority or emergency service.

Comment – It had been explained to Mr Rad that the above details must be recorded at all times.

Condition 9 - After 23.30 hours the rear smoking area will cease to be used and the front smoking area shall be limited to 20 persons and each area shall be suitably supervised.

Comment – It had be observed that two males were smoking shisha in the rear smoking area.

Condition 10/14 - Notices asking customers to leave quietly shall be conspicuously displayed at all exits.

Comment – I was advised that signs were taken down as a result of recent building works carried out at the venue.

Condition 15 - A copy of the premises licence summary including the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.

Comment – I was advised that signs were taken down as a result of recent building works carried out at the venue.

Condition 17 - Facilities within the premises shall be made available for customers to await taxis.

Comment – There were no facilities for customers to await taxis.

Condition 25 - SIA door staff shall supervise the partially enclosed garden area at all times it is being used by customers after 7pm.

Comment – There was no SIA door staff supervising the area at the time of my visit.

Condition 27 - A noise limiter shall be installed and set at a level agreed with the Council's environmental health team.

Comment – I have been made aware that the Principal Nuisance Control Officer, Martin Wood wrote to you in April 2023 to remind you to install the noise limiter. Mr Rad stated that the noise limiter has been installed, however, I can confirm that the Council have not agreed the set level.

Condition 44 - All SIA staff wear such clothing as to make themselves immediately identifiable as such, whether by way of high visibility apparel or in some other fashion.

Comment – The female door staff failed to wear clothing including her badge that can be clearly and easily identified on CCTV.

Condition 45 - There must be 3 SIA staff on duty Sunday to Thursday between 9pm and closing, and 5 SIA staff on Fridays and Saturdays of whom at least 2 must be women.

Comment – At the time of my visit, there was one female SIA door supervisor managing the front door. Mr Rad stated that he and another staff member held a SIA badge.

The above licensing check by Ms Chan shows multiple breaches of the premises license with a reoccurring theme of the

venue failing to provide CCTV.

Monday 24th of June 2024

On the above date Brent council received a Temporary Event Notice (TEN) from the Aura, reference 32126. This TEN was for the 19th / 20th of July 2024. The TEN was requesting the supply of alcohol, regulated entertainment and Late Night Refreshments from 22.00 to 04.00 hours with a capacity of three-hundred and fifty (350) people.

Due to the list of licensing breaches highlighted by Ms Chan on Friday the 14th June, the long history of licensing issues and that the current license only allows a capacity of 220 (when they were asking for 350) police refused the TEN.

A hearing was held which took place at Brent Civic Centre on Monday the 8th of July where Mr Simon Rad represented the Aura. The conclusion of this hearing was that the TEN could go ahead with no conditions attached to the event, a verdict that had detrimental effects on the late evening of the 19th of July into the early hours of Saturday morning.....

Thursday 27th of June 2024

Due to the list of offences identified by Ms Chan on 14th of June 2024 and the TEN submitted on 24th of June, Mr Simon Rad and Ms Justyna Lukiewicz attended the Civic Centre where a meeting was held. The meeting took place with PC Graves and Ms Chan to explain the concerns that the police and council had with the running of the venue and the licensing breaches that were found. Mr Simon Rad assured the police and Council that the breaches and concerns raised by the police and council would be dealt with in a satisfactory manner.

Friday 19th into Saturday 20th of July 2024

After the TEN was authorised by the committee on the 8th of July, scenes of drunkenness, violence, public order offences, assault on police officers and possession of class A drugs were seen from the Aura Club down to Tesco Express.

Police officers were on mobile patrols where a fight was taking place outside Tesco, which is a very short distance from The Aura. Males were fighting with one using a belt as a weapon, so this group was detained. As a result of this stop three males were arrested for a variety of offences namely obstructing police, affray, possession of an offensive weapon, assault on police, possession of class A drugs and public order offences.

While this group of men were being detained by police staff from the Aura, including Mr Simon Rad (manager) and another male who stated he owned the security company working at the Aura

At 00.45 hours Mr Simon Rad is walking with PC McInnes and states 'He started fighting outside (The Aura) and he pushed my friend (pointing to male handcuffed by police officer)

At 00.50 hours Mr Simon Rad describes a male putting on gloves who wanted to cancel a booking at the club, who pushed and slapped him (Mr Rad)

At 00.51 hours a male in a white t-shirt explained to PS Sullivan that 'The gentleman over there (Mr Simon Rad) owns a business up the road and an altercation took place inside the venue (The Aura) so there's people here who have taken off their belts'

01.00 hours large groups outside the Aura unable to gain entry. Ms Justyna LUKIEWICZ (DPS) states 'They are waiting to come in but I've reached full capacity'

If this event (TEN) had not taken place there would have been no overspill of customers into the street and no scenes of violence. Police believe that the scenes described above are due to actions of the Aura: Aura staff and Aura customers where both present. The manager, Mr Rad identifies males handcuffed by police as his customers. Ms Lukiewicz clearly states they had over booked meaning these people causing the offences are on the streets.

Friday 26th of July 2024

Police attended the venue at 22.50 hours where they spoke with Mr Simon Rad. Police attended as they wanted to view CCTV footage for the previous weekend. It was explained to police that the staff could not download any footage as 'the mouse was broken'.

Mr Rad was asked how many SIA staff he had on duty and he replied by saying three. Five SIA members are meant to be on duty on Friday and Saturday nights. Mr Rad also stated that he was one of the SIA staff on duty but he had no clothing or SIA badge to identify himself as SIA staff

A warning letter was sent dated Friday 26th of July 2024 listing all the above licensing breaches.

Friday 23rd of August 2024

Due to the fight on 24 of August Police obtained CCTV after it was not available when first required. After viewing this CCTV footage patrons were seen at the following times entering the venue without passing through the metal detector, which is condition thirty-five (35) on the premises license.

23.52 hrs Lady in black and white outfit walks in without passing through metal detector or been searched

23.49 hrs two males (one wearing a very distinctive mustard jacket) again walk into the club without been searched or passing through the metal detector. Ironically the male in the mustard jacket is involved in the affray and can be seen throwing punches at other customers. This male in the mustard top is seen been escorted from the venue by Mr Simon Rad at 02.29 hours where he has attempted to push past Mr Rad and re-enter the venue.

Saturday 24th of August 2024

A fight occurred at approx 02.00 hours on 24/08 where the Police and the London Ambulance Service attended. While police were there they requested CCTV of the affray. Your staff stated that the CCTV was locked away and that there was none one on site that had access. Police discussed this with the DPS Justyna Lukiewicz who confirmed that the CCTV was locked and staff had no access

Again, another breach of the premises license.

Friday the 06/09/2024

Licensing police attended the venue on the above date regarding a previous assault (Saturday 24th of August 2024) and to check that the correct number of SIA were on duty each day. The SIA register showed that the venue was failing to provide the correct number of SIA on the dates listed below.

Mr Simon Rad was present who said he couldn't afford to have the numbers required. Ms Justyna Lukiewicz said she was having problems with the security company. A Warning letter was sent to the venue highlighting this latest breach dated, 11th of September 2024.

<u>Day</u>	<u>Date</u>	<u>Numbers on duty</u>	<u>Numbers required</u>
Sunday	21/07	2	3
Monday	22/07	1	3
Tuesday	23/07	2	3
Thursday	25/07	2	3
Friday	26/07	3	5
Saturday	27/07	4	5
Sunday	28/07	1	3
Monday	29/07	1	3
Tuesday	30/07	1	3
Wednesday	31/07	1	3
Thursday	01/08	1	3
Friday	02/08	4	5
Sunday	04/08	2	3
Monday	05/08	1	3
Tuesday	06/08	2	3
Wednesday	07/08	2	3
Saturday	10/08	4	5
Sunday	11/08	2	3
Monday	12/08	2	3
Tuesday	13/08	2	3

Thursday the 10th of October 2024

Licensing police attended the venue and found insufficient SIA staff on duty, a repeat of the last visit on Friday the 6th of September 2024. Another warning letter was served dated 12/10/2024:-

The appropriate number of SIA officers where again not on duty

<u>Day</u>	<u>Date</u>	<u>Numbers on duty</u>	<u>Numbers required</u>
Wednesday	02/10	2	3
Thursday	03/10	2	3
Thursday	10/10	2	3

On Thursday 10th of October Mr Simon Rad stated that he was one of the two SIA officers. Mr Rad was not wearing any clothing that would identify him as SIA which is another stimulation of the premises. The female member of staff (the other SIA) had no clothing to identify her as SIA even though the business was open.

Police also asked to see a copy of the additional training regarding crime and disorder which should be refreshed every six months – condition 40 of the premises license

Police also asked to see the independent audit on promoting the licensing objectives, which should be conducted by an independent company – condition 41 of the premises license.

Both of the above two audits / training records should be stored at the venue and made available to the police or council and produced immediately upon request. Mr Rad was asked to produce both these records but could not produce them and did not know what either of them where.

Summary

This is the third review of the premises license in three years.

Numerous visits by the police and local authority have been made to the venue with multiple breaches been identified on most occasions, if not all. Warning letters and meetings have been held with the managers and DPS at the Aura highlighting the concerns of the police and council. To date there has been no improvement in the breaches at the club as detailed above. Of the few response to the warning letters sent, none address the issues raised and what action will be taken by the venue to rectify these on-going issues.

Crime has continued at the venue with assaults inside and outside. A TEN allowing the club to extend its licensable activities has resulted in multiple arrests and an assault on a female police officer.

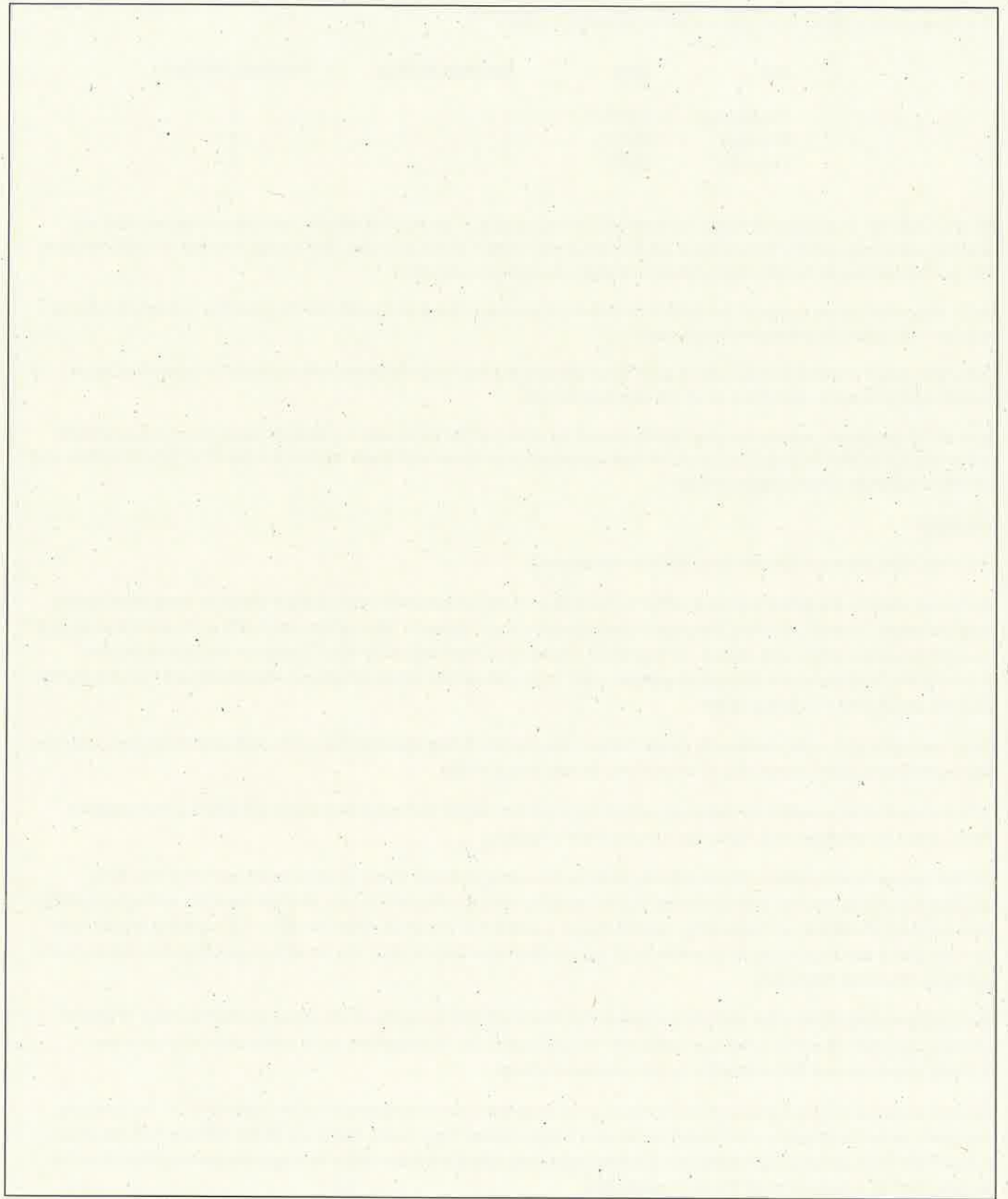
CCTV is meant to be provided immediately to police (a condition added at the last hearing) to aid police in investigating crime, which is not happening. Again this is on multiple occasions.

The last review hearing added extra conditions to allow the venue to trade. These conditions are not been met. Basic requests for training records and upholding the licensing objectives, customers to pass through scanners and to be searched upon entering are clearly not happening. I would expect a venue that has been reviewed twice and is getting regular visits from the police and local authority to abide by all the conditions on their license. The list of licensing breaches above clearly highlights this is not happening.

The current management team and DPS are aware that there are daily breaches at the venue (correct number of SIA for example) and their response is 'we can't afford it'. The attitude of the management team seems uninterested in the licensing objectives and the conditions on their premises license.

The police and council have engaged with this venue on repeated occasions emphasising the importance of the licensing objectives, but all attempts to get the venue to run in a legal manner have failed. Police are of the opinion that the venue and staff are in incapable of upholding the licensing objectives and running the venue in a legal manner and therefore see the only remedy is revocation of the premises license.

Police reserve the right to give evidence on any further incidents which may take place at, or in the vicinity of the premises, between the service of this application and the hearing and/or during the time allowed for any appeal proceedings.



Please tick ✓ **Yes**

Have you made an application for review relating to this premises before?

If yes, please state the date of that application

Day

Month

Year

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

Checklist


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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature  3122 NW

Date 30/10/2024

Capacity LICENSING OFFICER

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Data Protection: The London Borough of Brent will use this information for the purposes of The Licensing Act 2003 and related purposes. Any member of the public may examine the application form on request. In addition, this information may be disclosed to the Police, The London Fire and Emergency Planning Authority, relevant ward Councillors and other Council departments.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with law enforcement agencies and other bodies responsible for auditing or administering public funds for these purposes.

Notes for Guidance

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

Please return the completed form and any accompanying documents to the following address with a copy to the premises licence holder / Club that the application relates to:-

Regulatory Services (Licensing)
Brent Council
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

☎ 020 8937 5359

Email: business.licence@brent.gov.uk

Cheques should be crossed and made payable to London Borough of Brent.

Please follow the instructions in the checklist on page 14 to submit the relevant copies to the responsible authorities. Contact details shown below:

Chief Officer of Police
Brent Licensing Department
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8733 3206

North West Area 1
London Fire Brigade
169 Union Street
London
SE1 0LL

Tel: 020 8555 1200 x38778

Trading Standards
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5555

Environmental Health
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5252

Children's Services
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Licensing Authority
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ
Tel: 020 8937 5359

Area Planning Service
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5210

Public Safety Team
Fifth Floor
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5359

DAAT
Public Health Directorate,
Wembley Centre for Health
and Care
116 Chaplin Road
Wembley
HA0 4UZ

