

STATEMENT OF WITNESS*(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)*

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Statement of: Constable Philip Graves

Age if under 18: Over 18

Occupation: Police officer

This statement 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.

Signature:


Date: Saturday 16th of November 2024

On Friday the 15th of November 2024 I was on duty in full uniform in company with PC Hicks and PC McInnes. Due to the forth coming hearing scheduled for the Aura we attended the Aura Lounge at 763-765 Harrow Road, Wembley HA0 2LW at 2152 hours.

As we entered we were met by two SIA officers. Both were wearing high-viz jackets with the words 'security' displayed on their person and both had their personal ID's displayed. I asked how many security were on duty tonight and I was told 'two'.

We made our way into the club where we were met by Ms Justyna Lukiewicz (DPS & Manager). I asked Ms Lukiewicz how many SIA she had on duty as the door staff stated there were only two working, but the premises license required five on a Friday night with two females as per condition 45 below:

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.

43. Door supervisors of a suitable gender mix shall be employed from 21:00 on any day when the premises are open for the sale of alcohol.

Ms Lukiewicz stated that there were five SIA on duty. The two gentlemen I saw at the front door, herself, Piel (another female member of staff / management – name probably spelt wrong) and Mr. Simon Rad who was located in the front restaurant.

I then asked Ms Lukiewicz how her SIA staff should be dressed. She replied by saying "It's says high viz, something appropriate' I pointed out to Ms Lukiewicz that she was dressed looking like a manger with nothing that identified her as SIA. Ms Lukiewicz showed me her SIA badge which was attached to her waist and barely visible due to the jacket she was wearing stating that her badge identified her as SIA. Ms Lukiewicz was dressed all in black with a smart professional appearance. She had no writing on her (that was visible) that said security, neither did she have a high viz jacket or any body armour to identify her as SIA. Piel (other female SIA officer) was dressed in a similar fashion, no high viz jacket, nothing saying security or anything to identify her as SIA.

Both Ms Lukiewicz and Piel where in breach of condition 44 of the premise license.

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.

Signature:



Signature Witnessed by:

Continuation of Statement of: Constable Philip Graves

I asked Ms Lukiewicz where the fifth SIA staff and she stated that she had already told me and it was Mr Rad who was in the front restaurant part of the building. We all went to this location where I spoke to Mr Rad. I asked him if he was on SIA duties this evening and he replied by saying he was not as he had a medical condition preventing him from carrying out the role. Mr Rad explained that another person had been called in to be the fifth SIA officer. When we left the venue there was another SIA officer with the appropriate SIA badge and high viz jacket. This is another example of the management team at the venue not even knowing who is working and what role each member of staff has each evening.

I would also question the practicality of having a member or staff acting as a DPS and SIA at the same time. The Aura is a venue with a long history of licensing issues and has now been reviewed three times in as many years. With the level of crime inside and outside the venue not having the correct number of SIA on duty (as detailed in previous warning letters and statements) I would expect to have the appropriate number of SIA staff on duty solely to carry out their SIA tasks. Crime has been recorded inside and outside the venue and would argue not having the correct number of SIA and 'job sharing' is adding to the crime and hindering the clubs ability to function legally and uphold the liceninsg objectives.

On the 10th of October 2024 I attended the venue where I spoke with Mr Simon Rad. While there I asked him to produce the training records based around crime prevention and the liceninsg objectives which are conditions 40 and 41 on the premises license, as detailed below.

40. All staff and security shall undergo training in crime and disorder prevention and response which shall be refreshed at least once every six months. The training shall be provided by a person who is independent of the premises. A signed record of the training and the persons to whom it has been provided shall be maintained and produced immediately to an officer of the licensing authority or the Police upon request.

41. The premises shall arrange for an independent audit to be conducted of its compliance with the licensing and its promotion of the licensing objectives every six months. The audit shall be kept on the premises and produced immediately to an officer of the licensing authority or the Police upon request.

On this date Mr Rad was unable to produce these documents and appeared to have no knowledge of what they were or what they meant. Whilst conducting my visit on 15/11/2024 I again asked for these records. Ms Lukiewicz showed me an A4 folder with some hand written notes. I explained that this was not an independent audit / company which is detailed in the premises license. While speaking with Mr Rad and Ms Lukiewicz we discussed these two conditions. Mr Rad could not produce the training records based around crime and disorder or the licensing objectives. He went on to explain that he didn't know exactly what these conditions meant or what he should be producing. It was suggested that he contacted Brent council who placed these conditions upon the venue who may be able to assist.

I explained to both Ms Lukiewicz and Mr Rad that the conditions 40 and 41 where put on the license on 14th of December 2022, nearly two years ago and it was there responsibility as the DPS and management to meet the conditions listed. My assumption is that neither of these conditions have ever been adhered to as no staff member understands what it means and no paperwork can be produced.

The venue is again at fault for not been able to produce the documents detailed in conditions 40 and 41 of the premises license, conditions that were imposed at the last hearing.

Witness Signature:



Signature Witnessed by:

Continuation of Statement of: Constable Philip Graves

Summary


The venue is currently under review by the police and the transfer of license has also been opposed. Even with these procedures in place the venue fails to keep up to the very basic conditions of its premises license like producing training documents, having their staff wear the appropriate attire, providing police with CCTV or having to correct number of staff on duty.

I believe the failing of these conditions and the general poor management at the venue over the last three years is the reason why there is so much crime and ASB emitting from the Aura. The last two years has shown that a night club is not the appropriate type of venue to be at this location. The number of warning letters and licensing offences shows that no matter what conditions are attached to the venue it will fail to adhere to them and uphold the licensing objectives.

Police are of the opinion that the venue has had plenty of time and chances from both ourselves and local authority to make the venue run in a safe and legal manner. Even with two years of trying to educate the venue the management team and DPS have failed to uphold the licensing objectives and adhere to very basic conditions on their premises license.

The only solution left, in the opinion of the police is the revocation of the license so a more suitable license holder and 'style' of venue can take its place.

PC Phil Graves 3122NW
Licensing Officer - Brent

Witness Signature: 

Signature Witnessed by: