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KN Bros Ltd / Atul Khosla & Sapna Panchal
763-765 Harrow Road
Wembley
HA0 2LW

1 July 2024

Our Ref: Premises Licence Number 164845

Dear Atul Khosla & Sapna Panchal,

Licensing Act 2003 – Breach of Premises Licence
Re: Aura Lounge, 763 - 765 Harrow Road, Wembley, HA0 2LW

I am writing to confirm my meeting on Thursday 27 June 2024 at Brent Civic Centre with Simon Rad and Justyna Lukiewicz, managers of the above premises, in the presence of Licensing Police Officers PC Phil Graves, PC Brendon McInness, and PC Steve Hicks.

The purpose of the meeting was to discuss breaches identified during my inspection on Friday 14 June 2024 at approximately 23:55 hours, when the premises was open to the public. I was accompanied by the local Safer Neighbourhoods Team (SNT) and Noah Okunromade, Principal Anti-Social Behaviour (ASB) Officer.

These breaches have led to an objection raised by the police regarding a Temporary Event Notice (TEN) application for an event scheduled for 19-20 July 2024. We were informed that the director Director of KN Bros Limited, Atul Khosl and, the Designated Premises Supervisor (DPS) Jaminkumar Patel were unable to attend the meeting as both were abroad.

In fact, Mr Patel is currently in India for a month. During the meeting, Mr Rad mentioned that he had submitted an application to vary the DPS. However, upon reviewing his mobile phone, it was confirmed that he had notified the incorrect department. Furthermore, it appears that the relevant application forms to vary the DPS were not attached to the email. To date, the Licensing Department have not received an application to vary the DPS.

During the meeting we discussed the breaches that were identified at my inspection on 14 June 2024:

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.

Plan

It has been noted that you have converted the front 'Restaurant' area into a separate business trading as 'Manek Chowk', which occupy a separate entrance. You are required to submit a variation application to modify the plan connected to 'The Aura' by **29 July 2024**.

You must also submit an application for a new premises licence for Manek Chowk if licensable activities are provided. You must ensure the sale of alcohol and late night refreshments (hot food and drink) are not provided after 23:00hrs until authorisation is granted.

Outstanding Action following Decision of the Alcohol and Entertainment Licensing Sub-Committee following a hearing on 14 December 2022.

Following my letter dated 7 September 2023, it is apparent that the above action is still outstanding.

The interim steps conditions will be removed but, given the management, nuisance and other issues identified with the premises the sub-committee have some concerns as to the appropriateness of a 220 people remaining on the premises after the garden area closes.

They would therefore, in lifting the interim steps condition limiting capacity, require a report and plan dealing with the appropriate capacity to be provided to the local authority within 14 days.

Breach of Section 33 of Licensing Act 2003.

According to Companies House, you have failed to notify the Licensing Authority that you have changed the registered office address from 48 Hollywood Gardens Hayes UB4 0DX to a number of addresses since 2022. The latest record indicate that on 5 February 2023, the registered office address changed from 2 Westglade Court Woodgrange Close Harrow HA3 0XQ to **763-765 Harrow Road Wembley HA0 2LW.**

You must complete the notification of change of name or address premises licence holder and return it to business.licence@brent.gov.uk by **15 July 2024**.

Role of Designated Premise Supervisor

The Licensing Act 2003 does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises at all times.

The Licensing Authority will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis. The Authority expects that this will be in excess of 50% of a 7-day week.

The Council expects that a DPS will be able to demonstrate knowledge of both the local geographic area and the patrons the premises attracts. The DPS should be sufficiently conversant in English to be able to properly communicate with patrons.

The premises licence holder will be expected to ensure that the DPS has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.

Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained/instructed persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises licence.

The Council recommends that all persons employed on licensed premises who are engaged in the sale and supply of alcohol be encouraged to attend regular training programmes to raise awareness of their responsibility and particularly of the offences contained within the Act. Training programmes that raise awareness of the issues relating to drugs and violence in licensed premises are necessary. Suitable training should be extended to all staff involved in managing or supervising the premises. All training undertaken should be recorded and signed by the designated Premises supervisor.

If you feel that the conditions embedded on the premise licence are no longer viable for the current business, you may wish to seek independent advice on how you can vary the premise licence to modify the hours, licensable activities and conditions.

If we find evidence that you are undermining the licensing objectives, we will take further action in the form of a review of the premise licence and/or prosecution.

Please do not hesitate to contact me if you require further clarification.

Yours faithfully,



Esther Chan
Licensing Inspector
Regulatory Services

cc. Brent Licensing Police

Community Safety

