
Business Licence
Regulatory Services
Brent Council
Engineers Way
Wembley
HA9 0FJ

20 Nov 2024

Ref: 33303

Dear Business Licence,

Representation in support of the application to review the premises licence for The Aura, 763-765 Harrow Road, Wembley, HA0 2LW (Premises Licence Number: 164845).

The above-mentioned application has been made under section 51 of the Licensing Act 2003.

As a delegated officer of the Licensing Authority, acting as a defined 'Responsible Authority' under the Licensing Act 2003, I confirm my representation in support of the application submitted by Metropolitan Police Service.

This representation is made on the grounds that the continued operation of this premises licence, without further intervention, is likely to undermine three out of the four licensing objectives:

- **The prevention of crime and disorder;**
- **Public safety;**
- **The prevention of public nuisance;**
- The protection of children from harm;

Licensing History

The premises licence was originally granted on 24 November 2005, having been converted from the previous justices' licence.

The current premises licence holder, KN Bros Limited, has held the premises licence since 24 September 2019, with Atul Khosla and Sapna Panchal listed as directors of the limited company that hold the licence. The Designated Premises Supervisor (DPS) has been Justyna Lukiewicz since 16 July 2024.

An application to transfer the premises licence to Ana-Maria Grama was submitted on 31 October 2024. The Metropolitan Police Service has objected to this transfer application, and the matter remains undetermined at the time of writing.

The premises has been subject to two prior review hearings:

18 October 2022:

The review brought by Brent Council's Nuisance Control Team, was based on the licensing objective of 'the prevention of public nuisance' being undermined following substantiated noise complaints, perceived poor management, and non-compliance of premises licence conditions. The Licensing Sub-Committee determined to reduce the terminal hours for licensable activity, amended current conditions and imposed further conditions.

14 December 2022:

Following an instance of serious crime and disorder, in which a man was fatally stabbed outside the premises, the Metropolitan Police Service submitted a summary review under Section 53A of the Act. At the review hearing, Licensing Sub-Committee determined to impose additional conditions on the premises licence.

Enforcement & Complaints

The Licensing Authority has documented several complaints and enforcement actions relating to the premises within the last 15 months.

30 August 2023:

A warning letter was issued by the Licensing Enforcement Officer at Brent Council for failing to comply with the conditions of the premises licence regarding the use of the garden area after 23:30. CCTV was subsequently requested for a specified time and date, however the premises licence holder failed to provide the CCTV to the Officer. [Annex A - Licensing Warning Letter 30.08.2023]

5 September 2023:

Email from the Metropolitan Police Service informing the Licensing Authority about the premises failing to provide CCTV despite multiple requests, highlighting concerns regarding SIA door supervisors, irresponsible drinking inside the premises and failure to adhere to the conditions pertaining to the metal detector and not providing CCTV viewing upon request by the Police. [Annex B - Met Police Email 05.09.2023]

7 September 2023:

A warning letter issued by the Licensing Enforcement Officer at Brent Council outlining an action plan within a clearly defined timeframe. This action plan included steps to adhere with the CCTV provision, providing the incident log, providing a noise dispersal policy, submitting a minor variation application to update the premises plan and to provide a maximum capacity report. [Annex C - Licensing Warning Letter 07.09.2023]

8 Feb 2024:

The Council were notified that London Fire Brigade had issued a prohibition notice under Article 31 of the Regulatory Reform (Fire Safety) Order on 27 January 2024, following concerns about the potential risk to members of the public in case of a fire. The prohibition notice was subsequently lifted on 8 March 2024. [Annex D1 - London Fire Brigade Prohibition Notice 01.02.2024] [Annex D2 - London Fire Brigade Prohibition Notice 08.03.2024]

1 July 2024:

A warning letter issued by the Licensing Enforcement Officer at Brent Council highlighting that upon a recent inspection, 12 conditions were found to not being complied with. Additionally, a minor variation application had still not been submitted to update the premises plan, and the

failure by the premises licence holder to notify the Council of the change of registered address as per Section 33 of the Act. [Annex E - Licensing Warning Letter 01.07.2024]

14 September 2024:

A warning letter issued by the Metropolitan Police Service raising their concerns regarding persistent non-compliance of premises licence conditions. [Annex E - Licensing Warning Letter 01.07.2024]

Summary

The Licensing Authority fully supports the Metropolitan Police Service's stance of revocation within its review application. Despite two recent reviews, multiple warnings, and clear guidance provided by the respective Licensing Enforcement Officer, the premises has demonstrated a persistent disregard for compliance matters and the promotion of the licensing objectives.

There is a reasonable expectation that any premises that has been subject to two review hearings and multiple enforcement visits by the Police and the Licensing Authority would take every possible step to go above and beyond to ensure compliance with the terms of its premises licence and to promote the four licensing objectives.

Despite the numerous chances to rectify the concerns raised and demonstrate responsible management, the premises has ultimately failed to provide the necessary confidence in their business operation to both the Licensing Authority and the Police.

Under Section 182 Guidance (Paragraph 11.23), licensing authorities are advised to take decisive action, including revocation, where premises are found to be trading irresponsibly and where other measures taken have proven to be insufficient. Given the sustained non-compliance and lack of engagement with responsible authorities, revocation of the premises licence is likely the only proportionate and effective course of action to take.

If a new operator wishes to fundamentally change the business model, they have the option to apply for a new premises licence, which would provide a fresh start and an opportunity to demonstrate responsible management while promoting the four licensing objectives.

Yours sincerely,

A handwritten signature in black ink that reads "E. Maldoom". The signature is written in a cursive style and is underlined with a single horizontal stroke.

Edwin Maldoom
Licensing Enforcement Officer