

THE COMMISSIONER OF POLICE OF THE METROPOLIS **Applicant**

-V-

Alaturca, The Lodge, Kingsbury Road, London, Brent, NW9 9HA

APPLICANT'S BUNDLE

WITNESS STATEMENT

Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9; Magistrates’ Courts Act 1980, s.5B

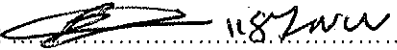
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Statement of: PC Brendon MCINNES

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 4 page(s) each 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.

Witness Signature:  Date: 24/10/2024

I am PC MCINNES. I have been a police officer for 10 years on North West OCU. I have been a Licensing officer for over 2 years covering the borough of Brent.

The Venue

Alaturca Lounge is a Turkish Restaurant situated in Roe Green Park on Kingsbury Road NW9 9HA. The venue is in close proximity to residential premises as well as commercial premises.

The premises currently has a Premises licence that allow the following activities to take place:

Plays and Films from 09.00hrs till 23.00hrs from Monday to Sunday.

Live Music from 08.00hrs till 23.00hrs from Monday to Sunday.

Recorded Music from 08.00hrs till 23.00hrs from Monday to Sunday.

Dance from 09.00hrs till 23.00hrs from Monday to Sunday.

Sale or Supply of alcohol on the premises from 10.00hrs till 23.00hrs from Monday to Sunday.

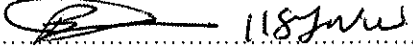
Open to the public from 08.00hrs till 23.00hrs from Monday to Sunday.

All licensable activities are to cease at 23.00hrs every day.

On the 20/07/2023, Mr Algul, the licence holder for Alaturca Lounge applied for a variation of the premises licence to extend the his operating schedule for licensable activites to continue until 01.00hrs Monday to Friday and 03.00hrs Saturday and Sunday. However this application was withdrawn by Mr Algul’s agent. Therefore the venue has never had a licence to operate beyond 23.00hrs on any given day.

Alaturca Lounge has been the subject of multiple complaints from local residents in the past regarding constant noise nuisance. The local authority have conducted multiple compliance visits at the venue and discovered constant breaches of conditions on the premises licence which led to the council submitting an application to review the premises licence for Alaturca lounge.

The hearing for the review of the premises licence took place on the 08/05/2024 at Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ. The result of the hearing was decided by the Sub-Committee and the

Witness Signature: 

Signature Witnessed by Signature:

Continuation of Statement of:

decision was that the Premises Licence for Alaturca lounge was to be suspended for three (3) months from 04/06/2024 to 04/09/2024.

During the suspension period, Police have been made aware that the venue were still carrying out licensable activities. These licensable activities were not only taking place with in the licensable hours as permitted by the premises licence should it had not been suspended but way beyond the licensable hours. This has been supported by council CCTV which shows people entering and leaving the venue between the hours of 00.00hrs and 04.00hrs on various dates. CCTV shows people all dressed up is if for a night out. Although the CCTV does not show that licensable activities were taking place it did lead police to suspect that licensable activities were taking place and prompted a visit to the venue by police.

VISITS.

I have visited the venue on five occasions over four different dates. During the visits there were multiple breaches of the premises licence found and offences identified which prompted the next visit

VISIT to the venue 20/07/2024

Police visited Alaturca Lounge on the 20/07/2024 at 01.30hrs. Venue was still open. Music playing, Large amount of people inside the venue consuming food and alcohol. License holder and DPS could not produce a copy of the premises licence or his personal licence. Conditions of licence breached being condition 9 and condition 17. Offences identified under the Licensing Act 2003 – Section 57, not producing the premises licence. Section 135, not producing a personal licence. Section 136, unauthorised licensable activities and Section 138, keeping alcohol for unauthorised sale.

Statements and Body Worn Video provided by:

- PS SULLIVAN
- PC MCINNES
- PC HICKS

VISIT to the venue 26/07/2024

On the 26/07/2024 Police returned to the Premises and requested CCTV from the venue for the evening on the 19/07/2024 going into Saturday morning the 20/07/2024. CCTV could not be provided. This again another breach of the licence. Breaching condition 5. 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 premise 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.

A copy Premises licence or personal licence could not be produced. Condition 5 of premises licence breached therefore licence is invalid. Offences identified under the Licensing Act 2003 – Section 57, not producing the premises licence. Section 135, not producing a personal licence. Section 136, unauthorised licensable activities and Section 138, keeping alcohol for unauthorised sale.

Police returned again later that evening on the 26/07/2024 at 23.30hrs. Again the venue was open and had three SIA staff on the door. Police asked the SIA staff what time they were closing that evening. SIA informed police that they were closing at 02.00hrs. This at 23.30 hours was already outside of the licensable hours. Inside the venue there was music playing and as police entered three customers left.

Witness Signature: 

Signature Witnessed by Signature:

Continuation of Statement of:
Statements and Body Worn Video provided by:

PC MCINNES
PC HICKS.

PACE INTERVIEW

Mr ALGUL was invited to attend Wembley Police Station on the 01/08/2024 at 13.00 hrs for a Caution +3 interview regarding the unauthorised licensable activities taking place at the venue. Police also requested the CCTV to be provided. Mr Algul provided a No Comment Interview with a prepared statement stating that he could not provide the CCTV requested as the CCTV hard drive only holds footage for 7 Days. This is another breach of his licence. Condition 1 states - CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council upon request.

In the weeks that followed Police discovered that Mr ALGUL opened his venue on the 01/08/2024 and continued trading until 02.00hrs the following morning showing no regard for the conditions on his licence nor the fact that he had been interviewed regarding unauthorised licensable activities. Police requested a meeting with Mr ALGUL at his venue on the 08/08/2024 in order to view the CCTV from the past 7 days. Mr ALGUL agreed. On the day Mr ALGUL did not arrive and stated that the venue was not opening that evening. Police then discovered that the venue did indeed open that evening.

VISIT to the venue 22/08/2024

On the 22/08/2024 Police conducted another licensing visit at the venue after being provided evidence that the venue was still operating beyond its licensable hours. Police entered the venue at 23.30hrs and the venue was open. Music playing. People inside with drinks in front of them and smoking Shisha. Licence holder and DPS could not produce a copy of the premises licence or Personal licence.

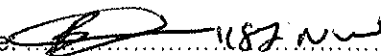
Police then issues Mr ALGUL a Notification of alleged offences under the licensing act 2003 followed by a Closure Notice - Section 19 Criminal Justice and Police Act 2001. Thus giving Mr ALGUL 7 days to rectify the issues with regards to his premises licence and the unauthorised licensable activities before police considered applying to court for a closure order. As the venue was trading past its opening hours without the correct authorisation thus being an offence of, unauthorised licensable activities under section 136 of the licensing act 2003.

A number of conditions were breached on his licence and Offences identified under the Licensing Act 2003 – Section 57, not producing the premises licence. Section 135, not producing a personal licence. Section 136, unauthorised licensable activities and Section 138, keeping alcohol for unauthorised sale.

Statements and Body Worn Video provided by:
PC MCINNES
PC HICKS

VISIT to the venue 07/09/2024

Licensing Police attended the venue on the 07/09/2024 at 00.30hrs. The venue was open. As Police entered the venue there was a DJ set up directly to the left hand side as you enter playing loud music. There was around 30 to 40 customers inside. Some smoking Shisha in the enclosed premises. A number of tables had hot

Witness Signature: 

Signature Witnessed by Signature:

Continuation of Statement of:

food in front of them still eating. Bottles of wine in wine coolers on the tables, multiple drinks being consumed. Extremely drunk people on the premises. One in particular could not walk straight and another that was passed out in the toilets which had to be carried out by friends. Thus showing irresponsible behaviour by Mr Algul as he should not of allowed his customers to get into that state.

Police approached Mr ALGUL and asked what was going on and why he was still open. Mr ALGUL was very defensive and stated that he had appealed the decision. Police did not understand what he meant by appeal as Mr ALGUL has not applied for a variation of his licence to extend his licensable activities.

Police asked Mr ALGUL to see his CCTV for the previous Saturday 01/09/2024 as police were made aware of an assault that took place inside his venue. Mr ALGUL refused to show police his CCTV even though this is a condition on his licence. All Mr ALGUL could say was "Take me to court." Every time police tried to talk to Mr ALGUL he would just continue to talk over police and constantly interrupt.

As the venue was trading past its opening hours without the correct authorisation thus being an offence of, unauthorised licensable activities under section 136 of the licensing act 2003.

A number of conditions were breached on his licence and Offences identified under the Licensing Act 2003 – Section 136, unauthorised licensable activities and Section 138, keeping alcohol for unauthorised sale.

Statements and BWV provided by:

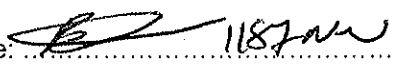
- PC MCINNES
- PC HICKS
- PC GRAVES

I have been a licensing officer for Brent for over two years. Mr Algul is the most disrespectful and obstructive Designated Premises Supervisor I have ever dealt with. Mr Algul has no regard for the licensing laws nor does he up hold the four licensing objectives. Mr Algul is not a fit or proper person to hold a licence. This has been demonstrated by him constantly breaching the conditions on his premises licence. Mr Algul has been given the opportunity to rectify the issues with the breached conditions but has decided to ignore police advice and continue to carry on unauthorised licensable activities.

REASON FOR CLOSURE

A closure order is necessary as all other avenues have been explored with the licence holder. Police have engaged with the licence holder. Police have advised and warned the licence holder and has had no effect. The licence holder has blatantly ignored police advice and warnings. This has been demonstrated by the constant breaches and offences identified. The licence has been suspended previously for a period of three months to which the licence holder had ignored.

If the closure order is not granted the licence holder will continue to flout the laws and continue to undermine the licensing objectives.

Witness Signature: 

Signature Witnessed by Signature:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates’ Courts Act 1980, s.5B

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Statement of: Michael Sullivan

Age if under 18: Over (if over 18 insert 'over 18') Occupation: Police Sergeant

This statement (consisting of 3 page(s) each 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.

Witness Signature: *Michael Sullivan* Date: 23rd July 2024

On Saturday the 20th July 2024 I was on duty, on mobile patrol, in plain clothes, I was in company with PC1187NW McInnes, and PC3073NW Hicks, at about, 01.30 hours we made our way to Alaturca lounge, The Lodge, Kingsbury Road, Brent, NW9 9HA, this is registered as a restaurant, the venue has a premises licence which was issued by Brent Council, the opening hours on the licence permit the business to open between, 0800 to 2300 hours daily.

I am aware that there was a review of the premises licence on the 8th May 2024, due to a number of issues at the premises, one of the more concerning issues was the fact that the premises was running more like a night club, and staying open beyond its permissible hours of 2300 hrs and on most days opens until the early hours of the morning.

As we arrived another police vehicle joined us with some uniformed officers, I could see the venue was open, there was lights on, and I could see people standing out the front behind a set of gates, I walked towards the venue along with the other officers, as I approached the gates I saw a male standing outside the premises, I now know this male to be Mr Gokcan Algul, I asked him who he was and what his relationship to the business was, he informed me that he was the owner, and the Premises Licence Holder, he asked me if there was an issue and why I was there, I informed him that as the premises was open and a licenced premises, that I was entering to check that the premises was complying with its licence conditions, I asked him what time he was allowed to be open until, he replied 12am, and went on to say he was in the process of getting everyone to leave, I pointed out to him that it was now 01.30 hr's I then entered the venue, and walked into the main function room. I did not see a summary of his licence being displayed within the venue.

On entering I could see that the venue was open and had customers, there was approximately 20 people inside the premises, there was four different groups sitting at different tables, all the groups had alcoholic drinks on the tables, some tables had hot food, and others were in the rear fully enclosed area smoking Shisha, it was clear that the premises was not about to close, I saw three males sitting at a table, drinking alcohol, and smoking cigarettes, I also noticed that all the tables had ashtrays on them, I said to one of the males that he shouldn't be smoking inside the premises and that it was an offence, and to put it out, Mr Algul stated that he didn't know the males were smoking inside, I pointed out that the venue wasn't very busy and it was very clear people were smoking inside the venue, Mr Algul, then asked me if I had a warrant to enter his premises, I informed him that I didn't need a warrant, and I had entered under Section 179 of the licensing act.

I saw that another group sat at a table had a large number of plates of food, it appeared that they were about half way through eating, there was also two ice buckets on the table with

Witness Signature:

Signature Witnessed by Signature: *Michael Sullivan*

Continuation of Statement of:

about eight bottles of unopened beers in it, all the males also had opened bottles of beers that they were drinking from, at the rear of the venue, I found a group of people smoking Shisha, this area was fully enclosed, I said to Mr Algul that the area that Shisha is smoked in needs to be a least fifty percent open and not all enclosed, he said it's not all enclosed and said there are windows, behind the seating was some sort of false wall and behind that there were windows which were all closed, he then made reference to doors at either side of the building, I looked and could only see walls, when I pointed out that there were no open windows or doors and a fully enclosed roof, he mumbled something about it being approved and that he would get doors put in.

I asked Mr Algul if I could see a copy of the premises licence, he opened up his phone and showed me a screen shot of a personal licence, I explained to him that I needed to see a copy of the Premises Licence, he stated he didn't have a copy on the premises, I explained to him that he needed a copy to be at the venue, and that it is an offence not to have it available, he stated that he had it in his car, however he didn't have his car outside, and that it had been in his car since the Licensing hearing in May, I then asked to see his personal licence, again he stated that he didn't have it on him, and only had the picture of it.

I then looked around the premises, where I saw a room near the front entrance that was stocked with alcohol, it appeared that this was the bar area, I then went into the kitchen area, where I saw a number of rats running in and out from an open door at the rear of the premises, I walk out of the rear door and saw a large amount of rubbish stacked up, there was a strong smell of rotten food coming from the outside area near the entrance to the kitchen door, on checking the grills and ovens I could feel heat coming from them, this indicated to me that food must have recently been cooked on them, out in the rear of the premises I found burning coals on a barbeque, and a large amount of Shisha tobacco in boxes, there was a male who initially stated that he was just a friend of Mr Algul, he later changed that to he was helping out at the venue, it appeared to me that he worked at the premises, he appeared knowledgeable regarding the running and set up of the business. I asked Mr Algul if he had any SIA on duty, he informed me that he had earlier had SIA on duty, but due to it not being busy he had sent them home, I asked him for the details of the SIA staff, and the name of the company they are employed by, he was unable to provide me any details.

I informed Mr Algul that I would need to speak to him about what I had witnessed, and that I would be inviting him into the police station, I also told him he may want to have a solicitor present, however that was up to him, we then exited the venue.

I am aware that the venue has a premise licence, and the conditions on the licence were in line with that of a restaurant licence, this venue is clearly operating above and beyond that of a restaurant, and more in line with a pub or nightclub, research shows that the venue has regular live music events, with late night opening and minimum spends for males and females.

The venues licensable opening times are from 08.00 to 23.00 daily, this venue was still clearly open and trading at 01.30 hours, and I suspect if Police hadn't conducted a visit would have stayed open.

The venue was taken to review earlier in the year as similar breaches had been identified, it is clear that the owner, the Premises Licence Holder, and Designated Premises Supervisor, Mr Algul has no regard for the conditions on his licence, and continues to flout the law when it comes to upholding the licensing objectives.

On this visit, I have identified several breaches to the licensing Act 2003, namely

1. Section 57, not producing the premises licence.
2. Section 135 not producing his personal licence

Witness Signature:

Mr Smith

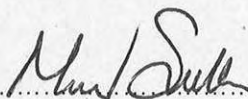
Continuation of Statement of:

- 3. Section 136, unauthorised licensable Activity
- 4. Section 138, keeping alcohol for unauthorised sale

Also identified that there was a breach of the smoke free legislation, under the Health Act 2006, where customers were witnessed smoking cigarettes, and Shisha being smoked in a confined space, with no ventilation and no open areas.

I exhibit my Body Worn Video (BWV) as MJS/01

Witness Signature:



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

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Statement of: Constable Brendon McInnes

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: *Brendon McInnes*

Date: 27 Jul 2024

This statement refers to a licensing visit I was part of on the 20 July 2024 and the 26 July 2024 at a venue called Alaturca Lounge.

The people I will be referring to in this statement are my colleagues PS Sullivan 238NW, PC Hicks 3703NW and PC Graves 3122NW. The other person will be Mr Gokan ALGUL who is the Premises Licence Holder and the Designated Premises Supervisor for the venue called Alaturca Lounge.

Alaturca Lounge is situated on Kingsbury Road NW9. Alaturca Lounge has Roe Green Park to the rear and sides of its venue. Across the road from Alaturca Lounge is a built up residential area which is noise sensitive.

On Saturday the 20 July 2024, I was on duty part of the Brent Police Licensing Team. I attended Alaturca Lounge in the company of PS Sullivan 238NW and PC Hicks 3703NW and conducted a licensing visit. The reason for the visit is because police were made aware of complaints of noise coming from the venue and that the venue were operating well beyond their licensable hours. Alaturca has a licence that permits them to sell and supply alcohol on the premises Monday to Sunday from 10.00hrs to 23.00hrs. The licence permits the venue to be open to the public Monday to Sunday from 08.00hrs to 23.00hrs.

On Saturday the 20 July 2024 I arrived at Alaturca Lounge with PS Sullivan 238NW and PC Hicks 3703NW at 01.30hrs. As we arrived PS Sullivan was in front of me. As we entered we were met by Mr Gokan ALGUL who said, "We are just closing up". We continued to walk past Mr Gokan ALGUL to enter the venue. I then heard Mr Gokan ALGUL say, "why are we coming in?" to which I heard PS Sullivan say "Because you are a licensed premises and we are coming in." As I entered, diagonally in front of me and slightly to my right hand side was a table which had three (3) males sitting. All three males had drinks in front of them and were smoking. To my right hand side two tables away were another group of three males which had drinks in front of them and they were also smoking inside the enclosed premises. Further along to the right hand side inside the smoking area were another group of three with drinks in front of them and smoking shisha. This smoking area was also enclosed with no ventilation or windows open at all. Towards the rear of the premises just before the exit to the rear garden in the corner was another group of five (5) males. This table had plates of food and platters in front of them. The food appeared to be hot which would suggest that it was recently cooked and after 23.00hrs. These five males had open bottles of Corona Beer in front of them. In addition to the open bottles there were also two (2) silver ice buckets which contained Nine (9) bottles of Corona Beer still sealed and on Ice which would contradict what Mr Gokan ALGUL said when we first arrived. I don't believe they were about to close. Whilst observing all of this I also witnessed a number of people who were coming out of the toilets and leaving straight away upon seeing police. Whilst we were there I heard PS Sullivan 238NW ask Mr Gokan ALGUL for a copy of his Premises Licence and Mr Gokan ALGUL replied, "I don't have it." PS Sullivan then asked Mr Gokan

Signature: *Brendon McInnes*

Signature Witnessed by:

Continuation of Statement of: Constable Brendon McInnes

ALGUL to produce his Personal Licence to which Mr Gokan ALGUL produced a photo of the licence on his mobile phone. Whilst PS Sullivan 238NW was dealing with Mr Gokan ALGUL I remained inside the restaurant area and witnessed the remainder of the tables leave. The group of five males with the bottles of Corona Beer tried leaving with open bottles which I had prevented from doing by taking the bottle of beer off of them. I also observed that a copy of the premises licence summary with the hours and licensable activities was not displayed on the outside of either of the entrances. There was no sign stating "No proof of age – No sale" displayed anywhere inside the venue. Which are conditions on the premises licence.

On Thursday the 25 July 2024 I called Mr Gokan ALGUL on his mobile phone to arrange an appointment to meet him at Alaturca Lounge at 18.00hrs on Friday 26 July 2024 in order to retrieve CCTV from our initial visit on the 20 July 2024. Mr Gokan ALGUL agreed and said that he could operate the CCTV.

On Friday the 26 July 2024 I attended Alaturca Lounge with PC Graves 3122NW and PC Hicks 3703NW. We arrived at the venue at 18.00hrs. Mr Gokan ALGUL showed me upstairs to where the CCTV is kept however the CCTV was PIN Locked and Mr Gokan ALGUL said to me that he did not know the PIN. I asked Mr Gokan ALGUL if anybody at the premises knows the PIN and Mr Gokan ALGUL stated that it was only his engineer that knows the PIN. I asked Mr Gokan ALGUL if he could call his engineer and Mr Gokan ALGUL stated no as it was after 18.00hrs and his engineer would not answer. I then pointed out to Mr Gokan ALGUL that a condition on his licence says that someone that could use and operate the CCTV was to be on the premises at all times whilst the premises is open to the public. I then asked Mr Gokan ALGUL if he had his Premises Licence with him and Mr Gokan ALGUL replied, "I don't have it." Mr Gokan ALGUL was told on the 20 July 2024 during our initial visit that a copy of the Premises Licence should be kept on the premises. I then asked Mr Gokan ALGUL to please contact his engineer over the weekend and get the PIN for the CCTV and I will rearrange a time and date to retrieve the CCTV.

Later on in the evening on the 26 July 2024 I returned to Alaturca Lounge at about 23.40hrs with PC Graves 3122NW and PC Hicks 3703NW. I approached the entrance to Alaturca Lounge and at the entrance were two males with SIA badges on their arms. I asked one of the males what time are they closing tonight and the male replied, "2 O'clock." As I entered the venue there was no one seated inside but there were a group that were sitting in the rear outside area. This group were leaving as I approached them I asked, "Are you customer?" They replied customers. As these customers left Mr Gokan ALGUL came in through the front entrance and appeared to be annoyed and said no body is here. I pointed out that his SIA staff informed me that the venue was closing at 02.00hrs. Mr Gokan ALGUL said that was wrong and that they are already closed. I looked to the entrance and noticed that the SIA staff had left. Mr Gokan ALGUL stated that the last people that were leaving were not customers but they were staff of his and they were his DJ.

I have saved my Body worn video from all three visits and I exhibit them as follows:

- Visit to Alaturca Lounge on the 20 July 2024 as Exhibit BRM/01
- Visit to Alaturca Lounge on the 26 July 2024 as Exhibit BRM/02
- Visit to Alaturca Lounge on the evening 26 July 2024 as Exhibit BRM/03

Witness Signature:

Brendon McInnes

Signature Witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement of: Stephen Hicks

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 2 page(s) each 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.

Witness Signature: *Stephen Hicks* Date: 28th JULY 24

This statement refers to licensing visits at a restaurant called Alaturka Lounge on KINGSBURY HIGH ROAD, LONDON, NW9 9HA on SATURDAY 20th JULY 2024 and FRIDAY 26th JULY 2024 in regards to the venue breaching its premise licence conditions.

On SATURDAY 20th JULY 2024 I was on duty in plain clothes as part of the Brent licensing Team.

At around 0130 I conducted a licensing visit at Alaturka Lounge, KINGSBURY ROAD, LONDON, NW99HA, I attended the venue with PS Sullivan 238NW, PC Mcinnes 1187NW, PC Cowan 2626NW, PC Celik 2015NW and PC Stott 2715NW.

While on the premises at this time I noticed at least 3 tables which appeared to still have customers eating and drinking having recently been served. There was a table of 5 males which had unfinished food which was still hot and 2 buckets containing a total of 9 unopened bottles of corona with ice, another table had 3 males which appeared to have recently served drinks which I believe to be spirits with a cola mixer. There were people openly smoking shisha and cigarettes and cigars in the enclosed premises. PS Sullivan asked the manager to see copies of both his personal licence and premises licence and the manager was unable to produce either of these items. The patrons on the premises seem to be in no rush despite the time of day as if being open this late was a regular occurrence for this venue. There were also fresh coals for the shisha still very hot out the back ready to be used for further custom.

On FRIDAY 26th JULY 2024 I was on duty in uniform in the company of PC Graves 3122NW and PC McInnes 1187NW.

At around 2340 hours we attended Alaturka Lounge, KINGSBURY ROAD and had parked our vehicle round the back of the venue and on walking round to the entrance I noticed 4-5 people in their rear garden drinking and smoking Shisha. I noticed these people through a metal gate that opened onto Roe Green Park. Upon approaching the entrance I could see 3 males who appeared to be security, I saw one SIA badge visible. PC McInnes asked what time the venue closed and one of these males stated that they closed at 2 o'clock.

Witness Signature: *PC Graves*

Signature Witnessed by Signature:

Continuation of Statement of:

As we entered there were 2 males leaving, one had a plastic drinks cup in his hand. PC McInnes asked if they were customers and they stated that they were leaving while nodding assent.

As we entered there was still music playing very loudly and despite a lack of customers the venue did not appear closed as I noticed that they still had female wait staff walking around and not tidying up as if still operating instead of closing for the day.

I walked out to the garden area and there were still hot coals ready to be used for the shisha. The manager Mr Algul stated that they were closing for the evening and that it was just staff left and I asked if they were closing why did he still have door staff at the door and not inside to help usher customers out and he replied they stay there until 12 midnight. He also stated that the 2 males we saw leave were the DJ and the DJ's friend.

On both visits I had my Body worn Video on and recording and exhibit the footage as follows
Alaturka Visit 20/07/24 and exhibit this as SAH/1
Alaturka Visit 26/07/24 and exhibit this as SAH/2

Witness Signature: *[Handwritten Signature]*

Signature Witnessed by Signature:

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

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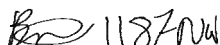
Statement of: Constable Brendon McInnes

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: 12 Sep 2024

This statement refers to a licensing visit conducted at Alaturca Lounge on the 22/08/2024 and a closure notice was served under section 19 Criminal Justice and Police Act 2001.

The people I will be referring to in this statement is my colleague PC HICKS 3703NW and Mr ULGUL the Premises Licence Holder and Designated Premises Supervisor.

On Thursday the 22/08/2024 I conducted a Licensing Visit at Alaturca Lounge, Kingsbury Road, NW9 9HA due to constant breaches of their premises licence and constant licensing breaches. On Thursday the 22/08/2024 I was parked up in an unmarked police car and observed Alaturca Lounge from a short distance with PC HICKS 3703NW. The Venue has a licence to sell alcohol from Monday to Sunday between 10.00hrs and 23.00hrs and be open to the public Monday to Sunday between 08.00hrs and 23.00hrs. At 23.25hrs I observed two males enter Alaturca Lounge and the two males did not leave. At 23.30hrs I entered Alaturca Lounge with PC HICKS 3703NW. As I entered there was music playing which was turned off almost immediately as Mr ALGUL noticed that I was inside his venue. There were approximately six customers inside the venue some with drinks in front of them and all smoking Shisha including Mr ALGUL. PC HICKS 3703NW then pointed out the two males to me that we observed entering five minutes before. These two males were also smoking Shisha. I explained to MR ALGUL that I was there to conduct a visit and asked to see his Premises Licence. Mr ALGUL replied that he does not have it. I then asked if he had his Personal Licence with him to which he replied I don't have it. I then pointed out to Mr ALGUL that he should have been closed at 23.00hrs. Mr ALGUL said that he was just waiting for people to finish and leave. I pointed out to Mr ALGUL that I had witnessed two customers walk in at 23.25hrs and that he should have been closed at 23.00hrs. Mr ALGUL told me that I was incorrect and that his customers had been inside for some time. I then walked over to the two males that I observed enter at 23.25hrs with my BWV activated and asked the two males how long they had been there. The two males informed me that they had just arrived within the last 10 minutes.

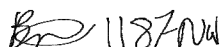
I then sat down with Mr ALGUL and went through his licence conditions with him. Mr ALGUL had breached a number of his conditions. Mr ALGUL could not produce his Premises Licence. He could not produce his personal licence. Breaches on the licence are as follows. Incident log could not be produced. Training records could not be produced. Mr ALGUL was open beyond 23.00hrs on the 22/08/2024.

Any breach of his licence will deem his licence not valid therefore any sale of alcohol or licensable activity would be unlawful. I then served Mr ALGUL a Closure Notice under section 19 Criminal Justice and Police Act 2001 at 23.57hrs. Mr ALGUL acknowledged the closure notice by signing it.

Offences identified were:

Section 57 Licencing Act 2003 - Failure to produce a premises licence or certified copy.

Signature:



Signature Witnessed by:

Continuation of Statement of: Constable Brendon McInnes

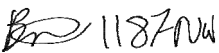
Section 135 Licensing Act 2003 - Failure to produce a personal licence to a police officer.

Section 136 Licensing Act 2003 - Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation.

Section 138 Licensing act 2003 - Keeping alcohol on a premises for an unauthorised sale.

I exhibit my Body Worn Video from this visit on the 22/08/2024 as:

Visit to Alaturca Lounge on the 22/08/2024 as BRM/04.

Witness Signature:  1187NW

Signature Witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

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Statement of: Stephen Hicks

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police constable

This statement (consisting of 1 page(s) each 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.

Witness Signature:  Date: 28/08/2024

This statement refers to an incident where I attended Alaturka, KINGSBURY ROAD, BRENT during a licensing visit.

On THURSDAY 22nd AUGUST 2024 I was on duty in plain clothes conducting licensing visits in the WEMBLEY area in the company of PC McInnes 1187NW. At around 2320hours we were in the Kingsbury area by ALATURKA which is a restaurant and Shisha bar on KINGSBURY ROAD. This restaurant should be closed by 2300 hours.

At 2325 we noticed 2 males walk down VALLEY DRIVE, cross the road and enter ALATURKA. The doors were still open with a sign outside the venue stating that they were still open. We waited around 5 minutes to see if they males would be rejected service however they did not come back out of the venue. At around 2330hours myself and PC McInnes entered ALATURKA and identified ourselves as licensing officers. There was music still playing inside the venue when we entered and this was swiftly turned off when we identified ourselves as licensing officers.

As we entered I noticed that there were 4 customers inside the premises. A male and female and the 2 males that entered 5 minutes before ourselves. All were smoking Shisha in the enclosed area of the restaurant. Also the male and female still appeared to have drinks in front of them. I went out around the rear of the premises and noticed that there were still red hot coals ready to use which had not yet been banked and extinguished.

PC McInnes sat down and spoke with the manager of the premises and went through all of conditions on the premises license, explaining what ones had been breached and issued a Section 19 closure notice giving him a week to rectify these issues before considering further action.

Witness Signature: 

Signature Witnessed by Signature:.....

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

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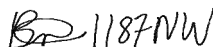
Statement of: Constable Brendon McInnes

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: 12 Sep 2024

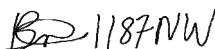
This statement refers to a Licensing Visit I conducted at Alaturca Lounge on the 07/09/2024. This visit is a follow up visit after a Closure Notice was served on the premises under Section 19 Criminal Justice and Police Act 2001 on the 22/08/2024.

The people I will refer to in this statement are my Colleagues PC Graves 3122NW and PC Hicks 3073NW. I will also refer to Mr Gockan ALGUL who the Closure Notice was served as he is the Premises Licence Holder and the Designated Premises Supervisor.

On Saturday 07/09/2024 I attended Alaturca Lounge, Kingsbury Road, NW9 9HA with PC Graves 3122NW and PC Hicks 3073NW. As mentioned in my previous statements Alaturca Lounge has a Premises Licence which allows the venue to sell alcohol Monday to Sunday from 10.00hrs to 23.00hrs and be open to the public Monday to Sunday from 08.00hrs to 23.00hrs. The licence does not allow for late night refreshments meaning that hot food and hot drinks are not permitted after 23.00hrs.

I entered Alaturca Lounge on Saturday the 07/09/2024 at 00.30hrs. There was a DJ set up to the left had side as you enter and was playing loud music. I observed a number of tables that were occupied by customers with bottles of wine, bottles of beers and hot food in front of them. There were about 20 to 25 customers inside. There were tables that were smoking Shisha in the enclosed premises with other customers smoking normal cigarettes within the enclosed premises. Mr ALGUL then approached me and I asked Mr ALGUL why he was still open? Mr ALGUL replied that they had put in an appeal. This made no sense to me as the licensing team are unaware of any variation applied for to the licence. I asked Mr ALGUL if he had his premises licence with him to which he provided a copy of. I then pointed out to Mr ALGUL that he should have been closed at 23.00hrs and as he was still open that all the activity taking place was illegal. I then noticed a male wearing a white t-shirt and a white baseball cap approach myself and PC Hicks 3703NW and offer us some fruit to which we declined. This male then through the piece of fruit in the direction of PC Hicks 3703NW and said "Fuck You." This male then staggered out the front entrance. Whilst I was continuing to speak to Mr ALGUL, the male in the white t-shirt and white baseball cap entered again with a female and they headed towards the toilet. The female said that they were just trying to get their friend out that was sleeping in the toilet. I took this as the friend was drunk and passed out in the toilet. I then pointed this out to Mr ALGUL and said that you should not allow the customers to get into that state whilst on his premises. Mr ALGUL replied saying they are not drunk. I then moved into the reception/ entrance area and watched the male with the white t-shirt and white baseball cap exit with the female that entered earlier, they left with another male also wearing a white t-shirt. This male was extremely drunk, could not walk on his own and had to be assisted by others just to stand up. Again I pointed this out to Mr ALGUL. I said, "You cant tell me that they are not drunk?" Mr ALGUL did not reply. I then followed the males outside and observed them stagger up the road trying to assist each other in standing up. I

Signature:



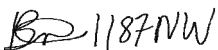
Signature Witnessed by:

Continuation of Statement of: Constable Brendon McInnes

watched them then fall into rubbish bins near the bus stop. I continued my conversation with Mr ALGUL outside the entrance and asked Mr ALGUL to see his CCTV as I was made aware of an incident that occurred the week before. Mr ALGUL refused to show me CCTV and just replied "Take me to court, take me to court." I asked Mr ALGUL if I could see his training records and refusal logs and again Mr ALGUL replied, "Take me to court." I then tried to walk back into the venue to continue my observations. As I walked to the entrance Mr ALGUL deliberately blocked my entrance and said, "Why do you need to go back inside? You have already been inside." I then pointed out to Mr ALGUL that obstructing an authorised person from entering is an offence and could be arrested. (Section 179 of the licensing act 2003). Mr ALGUL continued to be obstructive and continued talking over police every time I tried to explain anything to him.

Mr ALGUL is the Designated Premises Supervisor and is meant to up hold the licensing objectives. I have warned Mr ALGUL and given him a number of chances to correct the errors on his licence. Mr ALGUL has ignored the warning and not taken the chance to correct the errors, thus showing me that he has no regard for the conditions of his licence nor the law. Mr ALGUL was obstructive and rude when dealing with police.

I have saved my Body Worn Video and exhibit this as exhibit BRM/05

Witness Signature: 

Signature Witnessed by:

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

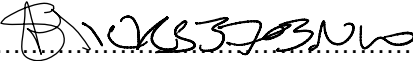
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Statement of: Stephen Hicks

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police constable

This statement (consisting of 3 page(s) each 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.

Witness Signature:  Date: 7/9/24

This statement refers to an incident where I attended Alaturka Lounge, KINGSBURY ROAD, BRENT during a licensing visit.

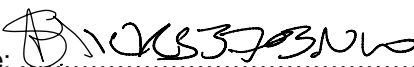
On SATURDAY 7th SEPTEMBER 2024 I was on duty in plain clothes conducting late night licensing visits in the company of PC Graves 3122NW and PC McInnes 1187NW. At around 0030hours we attended Alaturka on KINGSBURY ROAD, NW9 9HA as we have suspected them of breaching the conditions on their premises licence. We parked our unmarked police vehicle on VALLEY DRIVE which is opposite Alaturka Lounge and while still on VALLEY DRIVE walking towards Alatrka I could hear music coming from the premises especially when the front door was opened. Their licence conditions are such that they are only supposed to play music until 2300 and we were now an hour and half past this time.

We have approached the entrance to the premises and I noticed patrons leaving but as we walked in there was still music being played by a DJ and food and drink still being eaten and drank with serving staff walking around seeing to the customers that were seating and no one else appeared to be getting ready to get up and leave. I also noticed at least 3-4 tables with Shisha pipes smoking freely. This restaurant is a completely enclosed premises therefore smoking is not allowed inside this premises as per the Health Act 2006.

An IC6 male approached me who was clearly drunk offered me what appeared to be a slice of an apple, I politely refused and this male threw the apple slice in my direction exclaiming "fuck you". I pointed out to the manager of the premises Mr ALGUL who had been speaking with PC McInnes that this person was clearly drunk and should have been 'cut off'. I overheard other patrons say that there was another male passed out in the toilet this was pointed out to Mr ALGUL who seemed oblivious as what was happening in his own establishment and security staff were sent in.

An IC1 male appeared from the toilet who was completely unable to stand on his own 2 feet and was being propped up and walked out of the premises by a female friend. I could clearly see sweat on this mans face and he could not focus at all and was too drunk to even speak. The previous drunk IC6 male then walked over and said goodbye having apparently forgot about swearing at me less than 3 minutes previously. While talking he was unsteady on his feet, could not focus properly and was talking with a drunken slur, he was heavily intoxicated.

Mr ALGUL seemed unconcerned at the state of these people in his venue.

Witness Signature: 

Signature Witnessed by Signature:.....

Continuation of Statement of:

We walked to the street out the front of the premises as PC McInnes was making sure the drunk males were leaving and also being supported by friends.

Mr ALGUL seemed to get quite perturbed at this point and was arguing with PC McInnes PC McInnes asked what time the premises had closed the previous Saturday and Mr ALGUL responded that he did not know. At This PC McInnes asked to see the CCTV and Mr ULGUL refused to show it to us there and then and instead told us to request it through his solicitor despite the conditions of his licence stipulating that it had to be provided/shown on request.

While standing outside the venue the drunk IC6 male attempted to regain entry into the venue and I had to tell him that it was ow closed and that he was far too drunk to be allowed back in anyway.

We walked back into the premises with Mr ALGUL who at this point was becoming increasingly obstructive and argumentative. When challenged on why the venue was still open at 0030 he kept saying he was appealing something. I then asked the direct question of what he was trying to appeal and he stated that it was hi operating hours and he was trying to extend his hours to finish at 0200. I told Mr ALGUL that although he was appealing his hours that he still had to adhere to the current operating hours on his licence and would only be able to operate past 2300 if his extension of hours was granted. Mr ALGUL appeared uninterested and even looked away from me dismissively when I was explaining this.

I also told Mr ALGUL that we had given him every opportunity to correct his breaches and adhere to his licence conditions to which he tried to argue that we hadn't and I therefore reminded him that I had been to the venue at least 4 times where his breaches had been pointed out, this has been over a period of about 6 weeks with plenty of time to adhere to the conditions of his licence.

PC McInnes had asked to see a copy of the premises licence and Mr ALGUL had continually refused to produce it, stating that he had emailed him a copy already. It is an offence to fail to produce a copy of a premises licence when asked as it is a legal requirement under the licensing act to keep a copy of the licence on the premises.

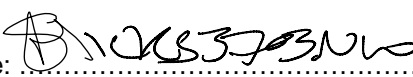
I believed that the refusal was a way for Mr ALGUL to try and frustrate PC McInnes as he had become increasingly argumentative with him while we were present at the venue. I asked Mr ALGUL to show me the licence and Mr ALGUL handed me a copy of his licence. Upon looking at what I was handed I immediately noticed the Brent Council logo appeared significantly different and also that the signature box did not appear to be signed.

Due to this I was unsure if this was a legitimate copy of his licence. As we had a copy of his licence with us I decided to check to compare the conditions to make sure Mr ALGULs copy was accurate.

What I noticed was that the copy Mr ALGUL handed to me did not have the schedule of operating times or licensable activity permitted attached however the conditions under annex 1,2 and 3 were all accurate and correct. The licence shown to me by Mr ALGUL was not signed, certified or complete.

While going through his licence I once again pointed out to Mr ALGUL that there were till people smoking inside the premises to which he told me that it wasn't my problem and a matter for the court.

Once I had finished looking through the licence I handed it back to Mr ALGUL. I had also pointed out the lack of signature, wrong logo and missing items to which he just shrugged stating that this was the copy he had.

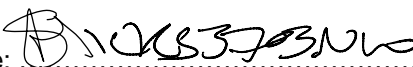
Witness Signature: 

Signature Witnessed by Signature:

Continuation of Statement of:

Our whole time present at the venue I saw no attempt by Mr ALGUL or any of his staff to usher the patrons out of the venue and close up for the night despite us attending well past the licence closing time.

We left the venue at around 0100 and when we went back to our car a dark vehicle parked up close by and 4 well dressed people got out and started walking towards Alaturka, at this we walked back up the road to see if they were going to Alaturka. They made a bee line for the restaurant and attempted entry, they were denied entry however I believe this was only the case as we were still close-by.

Witness Signature: 

Signature Witnessed by Signature:

WITNESS STATEMENT

Criminal Procedure Rules, r 27.2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN 01 24

Statement of: PC Phil Graves 3122NW

Age if under 18:Over 18 (if over 18 insert 'over 18') Occupation: Police Officer (Brent Licensing)

This statement (consisting of page(s) each 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.

Signature: [Handwritten Signature] 3122NW Date 11/09/2024

Statement written while viewing BWV.

I am writing this statement in relation to Alaturca Lounge, which is a restaurant, situated at Roe Green Park, Kingsbury Road, Kingsbury NW9 9HA. This venue is licensed to sell alcohol from 10.00 to 23.00 hours seven days a week. There are no late night refreshments authorised meaning this service cannot run from 23.00 to 05.00 hours. The opening hours of the venue are from 08.00 to 23.00 hours seven days a week.

The designated Premises Supervisor (DPS) is a male who I have met many times before, Mr. Gokcan Algul, who is also the licensee.

On Saturday the 7th of September 2024 I attended the above mentioned venue at 00.32 hours in company with PC McInnes and PC Hicks. As we were entering, I saw three males leaving, who appeared to be customers.

As I walked into the venue I immediately heard loud music and saw a 'band set up' on my left hand side. This music was turned off within thirty seconds of our arrival. Mr Algul was also present who started to speak with my colleagues. While my colleagues were conversing with Mr Algul I walked round the restaurant. There I saw approx twenty-two people inside. There were shisha smoking apparatus on more than one table. I saw a male sat on his own next to the rear exit door that leads into the patio area. This male had a plate on warm food. Later on during our visit I saw the same male smoking a cigarette. The area I have just described in inside a building which has four walls and a roof. There should be no smoking, or Shisha inside this restaurant. As I walked round the opposite side of the restaurant (nearest the main road / entrance) there were bottles of alcohol (Peroni) sat on the table next to food.

At 00.33 a male in a white t-shirt and white baseball cap enters the building, bumps into PC McInnes and staggers towards the toilets. At this point PC McInnes explains to Mr Algul that the male in the baseball cap is drunk on his premises. At 00.35 hours the male in the baseball cap starts to leave from the toilet. Along with him, another male also in a white t-shirt was so drunk he needed the assistance of a young lady to escort him from the toilet into the street. Both of these males where highly intoxicated with liquor while on licensed premises.

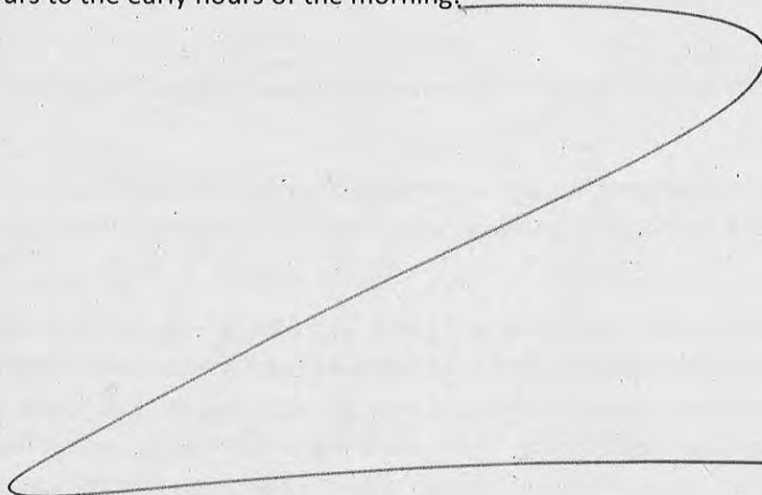
[Handwritten Signature] 3122NW

After the drunk males left, I saw them, along with the two females walk down to a bus stop a short distance from Alaturca. I saw this group falling over by the bus stop and knocking over a green dustbin right next to the bus stop due to their drunken state.

Along with PC Hicks and PC McInnes I tried to speak to Mr Algul explaining that all licensable activity should have ceased at 23.00 hours and the venue should have closed at the same time. Mr Algul continually over spoke when we tried to explain the offences he was committing. He explained that he still did not have training records for his staff and refused to show PC McInnes his CCTV or his incident management log, saying 'take me to court, take me to court'.

At 0040 hours PC McInnes and Mr Algul were out the front of the venue. PC McInnes attempted to re-enter the venue. As he did this Mr Algul stood in PC McInnes path trying to stop him from entering the venue. PC McInnes reminded him that obstructing police could get him arrested. I also explained (as it is a licensed venue) we (the police) have the authority to enter the venue without his permission or a warrant – section 179 of the licensing act 2003. At this point Mr Algul allowed PC McInnes access back into the venue.

I have now worked on the Brent Licensing team for three and a half years and I can honestly say that Mr Algul is the most obstructive and disobedient DPS that I have ever spoken to. He has no regard for the law or any of the conditions on his premises license. He continually (week after week) trades past 23.00 hours to the early hours of the morning.



J. J. J. J.
3122NW

Witness contact details

Home address: Postcode:.....

Home telephone No:..... Work telephone No.:

Mobile/Pager No:..... E-mail address:

Preferred means of contact (specify details):

Best time of contact (specify details):

Male / Female

Date and place of birth:

London Borough of Brent

Premises Licence

Part A

This Premises Licence was granted by Brent Council, Licensing Authority for the area of the Borough of Brent under the Licensing Act 2003

Original grant date: 22 July 2019
Current issue date: 08 May 2024



Authorised signatory

Premises licence number: 16394

Part 1 "Premises Details"

Postal address of premises, or if none, ordinance survey map reference or description

Alaturca
The Lodge, Kingsbury Road, London, Brent, NW9 9HA

Where the licence is time limited the dates

Licensable activities authorised by the licence

Section A: Plays
Section B: Films
Section E: Live music
Section F: Recorded music

Section G: Performances of dance
Section J: Sale of alcohol: On the premises

The times the licence authorises the carrying out of licensable activities

Section A: Plays		
Day	Start Time	End Time
Monday	09:00	23:00
Tuesday	09:00	23:00
Wednesday	09:00	23:00
Thursday	09:00	23:00
Friday	09:00	23:00
Saturday	09:00	23:00
Sunday	09:00	23:00

Section B: Films		
Day	Start Time	End Time
Monday	09:00	23:00
Tuesday	09:00	23:00
Wednesday	09:00	23:00
Thursday	09:00	23:00
Friday	09:00	23:00
Saturday	09:00	23:00
Sunday	09:00	23:00

Section E: Live music		
Day	Start Time	End Time
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	08:00	23:00

Section F: Recorded music		
Day	Start Time	End Time
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	08:00	23:00

Section G: Performances of dance		
Day	Start Time	End Time
Monday	09:00	23:00
Tuesday	09:00	23:00

Wednesday	09:00	23:00
Thursday	09:00	23:00
Friday	09:00	23:00
Saturday	09:00	23:00
Sunday	09:00	23:00

Section J: Sale or Supply of Alcohol: On the premises

Day	Start Time	End Time
Monday	10:00	23:00
Tuesday	10:00	23:00
Wednesday	10:00	23:00
Thursday	10:00	23:00
Friday	10:00	23:00
Saturday	10:00	23:00
Sunday	10:00	23:00

The opening hours of the premises

Day	Start Time	End Time
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	08:00	23:00

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

On the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of the premises licence

Gokcan Algul



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

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

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

Licence Number: LN000018820
Issuing authority: Islington Council

Annex 1 – Mandatory conditions

No Irresponsible Drinks Promotions

(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—

1. (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 disability).

Free Water

The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age Verification Policy

(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either—

- (a) a holographic mark, or

(b) an ultraviolet feature.

Small Measures to be Available

The responsible person must ensure thatâ€”

(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 measuresâ€”

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available

Minimum Price of Alcohol

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.

2. For the purposes of the condition set out in paragraph 1â€”

(a) â€˜dutyâ€™ is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) â€˜permitted priceâ€™ is the price found by applying the formulaâ€”

$$P = D + (D \times V)$$

whereâ€”

(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) â€˜relevant personâ€™ means, in relation to premises in respect of which there is in force a premises licenceâ€”

(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) â€˜relevant personâ€™ 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) â€˜value added taxâ€™ means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 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.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (â€˜the first dayâ€™) would be different from the permitted price on the next day (â€˜the second dayâ€™) 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.

Requirement for a DPS

(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, or

(b) at a time when the designated premises supervisor does not hold a personal licence or their 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.

Door Supervisors and Security Staff to be Licensed by the SIA (when required)

Where the licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

a) premises where the premises licence authorises plays or films

b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

Film Classification When required

(i) The admission of children to the exhibition of any film must be restricted in accordance with the recommendation of the designated film classification body unless section (ii) applies.

(ii) Where the licensing authority notifies the holder of the licence that this subsection applies the admission of children must be restricted in accordance with any recommendation made by the licensing authority.

In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority

under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

Annex 2 – Conditions consistent with the operating schedule

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council upon request.

2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
3. CCTV cameras shall be installed to cover the full footprint of the premises accessible to the public, both interior and exterior, except the toilets, and in particular shall cover the entrance, main restaurant, bar area, entrance to toilets and external areas
4. The CCTV system shall display on any recordings the correct date and time of the recordings.
5. 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 premise 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.
6. The Licence holder/DPS/Manager shall inspect and test that the CCTV is operational and working correctly on a weekly basis. A signed and dated record of the CCTV examination and any findings shall be kept on the premises and made available to the police and authorised officers of the Local Authority on request.
7. A "Challenge 25" policy shall be adopted and adhered to at all times
8. ✓ Customers shall not be permitted to take any open drink container outside the premises as defined on the plan submitted to and approved by the Licensing Authority.
9. A sign stating "No proof of age -- no sale" shall be displayed at the point of sale.
10. Alcohol shall only be provided as an accompaniment to a main meal and seated at a table.
11. No high strength beers, lagers and ciders above 6.0% ABV shall be stocked or sold at the premises.
12. All alcohol must be kept behind the counter/bar area at all times with the exception of alcohol which has already been purchased/sold/supplied to the public or alcohol which is in storage rooms on the premises.
13. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.

14.No noise or vibration shall be detectable at any neighbouring noise sensitive premises.

15.Notices asking customers to leave quietly shall be conspicuously displayed at all exits.

16.The playing of live or recorded music shall not be permitted in any external area after 21.00hrs.

17.A copy of the premises licence summary and the hours which licensable activities are permitted shall be visible from the outside of each entrance to the premises.

18.Any staff directly involved in selling alcohol for retail to consumers and managers shall undergo basic training of Licensing Act 2003 legislation. This shall be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.

19.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 incidents of disorder
- (e) any faults in the CCTV system
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service.

20.All deliveries shall take place during normal working hours (i.e.08.00hrs to 18.00hrs daily).

21.The placing of bottles into receptacles outside the building shall not be permitted between 22:00 hours and 08:00 hours the following morning.

22.No children shall be permitted on the premises unless accompanied by a responsible adult.

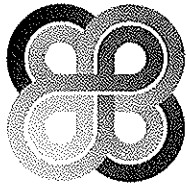
23. The locks and flush latches on the exit doors shall be unlocked and kept free from fastenings other than push bars or pads whilst the public are on the premises.
24. A residual current device (RCD), having a rated residual operating current not exceeding 30 milliamps, shall be provided to any socket or power supplies to be used for temporary stage, band or disco equipment, likely to be accessible to performers, staff or public.
25. Any socket outlets (or other power supplies used for DJ equipment, band equipment and other portable equipment) that are accessible to performers, staff or the public shall be suitably protected by a residual current device (RCD having a rated residual operating current not exceeding 30 milliamps).
26. No person shall be permitted to sit on the floor, on stairs or in gangways and passageways.
27. All roller shutters that are operational as exit points must be fixed/locked up in the open position whilst the public/staff are on the premises.
28. A capacity specific risk assessment shall be conducted by a professionally qualified risk assessor. This assessment will include holding capacity, exit capacity and the calculations to demonstrate how that was reached, the lower of the two numbers shall be the final capacity. The guidance used for this capacity calculation must be quoted. This risk assessment shall be appraised annually or at the time of any building or layout structural works.

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

29. An appropriately qualified and registered acoustic technician, whose qualification and registration must be approved by Brent Council's Nuisance Control Team, shall be instructed to carry out a survey and recommend a bespoke sound insulation plan which shall include consideration of insulation, a sound limiter and appropriate double lobby doors between the interior of the premises and any uncovered or partially enclosed area.
30. Any recommendation made by that technician must be implemented in full, and the result approved by Brent Council's Nuisance Control Team, before licensable activities may again be undertaken following the period of suspension.
31. There shall be no live or recorded music, or television with audio, in any uncovered or partially enclosed area of the premises.
32. Any staff directly involved in selling alcohol for retail to consumers, and managers, including the DPS, shall undergo refresher training of Licensing Act 2003 legislation before licensable activities may again be undertaken following the period of suspension of the licence. That training shall be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.

Annex 4 – Plans

See attached



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.....ESTHER CHAN ON THE 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

Name and postal address of premises or, if none, ordnance survey map reference or description	
Alaturca Lounge The Lodge Kingsbury Road	

Post Town: London	Post Code (if known) NW9 9HA
-------------------	------------------------------

Name of premises licence holder or club holding club premises certificate (if known)
Mr Gokcan Algul

Number of premises licence or club premises certificate (if known)
16394

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

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 Esther Chan Brent Civic Centre Engineers Way Wembley HA9 0FJ
Telephone number (if any) 0208 937 5303
E-mail address (optional) esther.chan@brent.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 | ✓ |
| 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 2)

Alaturca Lounge is described as a contemporary Turkish restaurant located at The Lodge, Kingsbury Road, London NW9 9HA. The premises is located on the boundary of Roe Green Park within proximity to residential dwellings, educational establishments and a range of different commercial premises.

Information and events about the premises are advertised on various social media platforms such as TikTok, Instagram and online such as Google Reviews (Appendix 1).

On 27 March 2023, the Council received a complaint stating that:

“The menu viewed online advertises a range of alcoholic refreshment for purchase and there appears to be a bar area close to the entrance but I could find no record of any liquor licence in respect of the premises on your website. The stated opening hours online are given as !0pm (sic) to 00.00pm (I think they mean !0am to midnight). The building is immediately adjacent to a children's play area, children's nursery and a school for special needs children which make the sale of alcohol from this location wholly inappropriate.

In addition when I peered into the building a couple of weeks ago there appeared to be a small area (complete with obscenely worded tacky neon signs -of the type that are now sadly easily and cheaply available-) intended for dancing”

Following the complaint, I communicated with the owner on the telephone on 30 March 2023 to advise them of the allegation. It transpired that the premises had been under new management of Mr Gokcan Algul for a period.

Mr Algul was advised to submit the relevant application forms to transfer the premises licence and vary the Designated Premises Supervisor in order to provide licensable activities lawfully.

On 11 April 2023, the Council received the application forms to transfer the premises licence and vary the DPS to Mr Gokcan Algul.

The premises licence permits the following licensable activities and opening hours:

Regulated Entertainment

(Plays, Films, Performance of Dance)

Monday to Sunday – 09:00hrs to 23:00hrs

(Live Music, Recorded Music)

Monday to Sunday – 08:00hrs to 23:00hrs

Sale or Supply of Alcohol (For consumption on the premises)

Monday to Sunday – 10:00hrs – 23:00hrs

Opening Hours

Monday to Sunday – 08:00hrs – 23:00hrs

Alaturca Lounge has attracted a catalogue of complaints ranging from noise nuisance, anti-social behaviour and irresponsible parking since Mr Algul took over the premises.

The Licensing Authority have reasonable grounds to believe that unauthorised licensable activities have been provided. The licensee/DPS has failed to comply with the conditions and hours attached to the premises licence.

In addition to the contravention of the Licensing Act 2003, it has been noted customers are smoking in a substantially enclosed area in breach of the smoke-free legislation under the Health Act 2006.

On 15 May 2023, the Licensing Team were notified of a noise complaint received on 7 May 2023 via the Nuisance Control Team (NCT) / Noise App. The details of the complaint indicated that the premises had been operating outside the permitted hours:

“A noise app recording conveying loud music was received 7 May 2023 at 12:39 am.

A noise complaint was received this morning at 01:36am, reporting: The issue usually happens on Thursday, Friday and Saturday and can go on until late - place was converted to a night club recently”

On receipt of the complaint, I sent an email to the licensee, Mr Algul to inform him of the issue and requested him to contact me as soon as possible.

Mr Algul rang me on the same day to confirm the premises is closed by 23:00hrs daily, however he would investigate the allegation. Mr Algul was reminded to apply for a Temporary Event Notice (TEN) should he require additional hours.

On 16 May 2023, the Licensing Police informed the Licensing Authority that an incident had occurred on 7 May 2023:

“Police were called to the venue at 02.20hrs on Sunday morning due to a fight that had taken place outside the venue.

Victim attended the venue for a private event where they had part of the premises roped off for them as a private function. Victim and witnesses stated that they left the venue and were confronted outside by the suspects who had attacked the victim with a bottle causing a cut to the head and victim losing a few teeth.

When police arrived and spoke to witnesses everyone was drunk. Police viewed CCTV and

shows that the victim and a witness tried to re-enter the premises but was denied. Police have viewed the till point and note that one of the suspects pays his bill using his phone at 02:19:30 and one of his friends pays at 02:18:40. Which shows the venue still open beyond the opening times. Police have obtained this CCTV footage. There were no TENS for that venue on the day."

On 17 May 2023, I received an email from Mr Algul stating that he had checked the CCTV on 7 May 2023 and it would appear a member of staff was celebrating their birthday, hence played music inside the venue. Mr Algul advised me that he would provide me with CCTV evidence to which I never received. (Appendix 2).

On 19 May 2023, we received a complaint regarding illegal activities within the premises:

"I would like to bring into your attention about some illegally activities developed in Alaturca Lounge, The Lodge, Kingsbury RD, London, NW9 9HA.

They said that the opening time is until 12am, but in the reality in the night time the premise is a Night Club, and they make so much Noise with the music.

Because they serve alcohol, the people get drunk and they scream in the street...

They press the acceleration for the car to maxim, you can hear the noise from faraway. You are not in safe to cross that street. They smoke inside of the premise and they allowed kids inside, to seat with the people which are smoking.

The employees, singer receive Disability allowance, the 2 belly dancers are on Parental Child benefit...Please check this place, because we need to be safe."

On 6 July 2023, we received a complaint stating the premises is causing noise disturbances in the form of music and operating until 2:00hrs to 3:00hrs, which normally happens on Thursday to Saturday.

"For the last 2-3 months, Alaturca Lounge has been having live music with Turkish musicians playing drums and other noisy instruments, as well as live singers with backing tapes playing. This normally happens three nights every week, Thursday-Saturday, from 22.00 hrs until 2-3 Am in the morning. However, this week we also had Live music Wednesday and Sunday, so 5 nights in a row of disturbance."

On Tuesday 11 July 2023, I conducted a visit at the premises, when Mr Algul was present. During my visit, we discussed the complaints linked to the premises and the conditions embedded on the premises licence. Mr Algul confirmed that the premises hosted music nights one to two times per week from 20:00hrs to 23:00hrs.

It was apparent that Mr Algul was not familiar with the conditions embedded on the premises as he failed to demonstrate he had complied with the conditions. I reminded Mr Algul of his obligation to comply with the Licensing Act 2003.

Following the meeting, a letter was sent to Mr Algul to outline our discussion and the conditions which he had failed to comply (Appendix 3).

On 20 July 2023, the Council received an application to vary the premises licence for extension of licensing and opening hours:

The applicant intends to extend the hours of operation of the establishment from 11:00pm on weekdays to 1:00am & 3:00am on weekends.

Additionally, the applicant intends to raise the limits of his alcohol serving license from 11:00pm to 1:00am.

On 26 July 2023, the consulting officer acting on the behalf of the Licensing Authority, Mohammed Serdouk visited the premises and noted the applicant had failed to display a public blue notice despite several communications from Licensing Department. The applicant failed to duly advertise in the local newspaper within the prescribed period. There were 'very rude' neon signs within the premises for a 'family' orientated premises (Appendix 4).

During the consultation period, the Licensing Department received notification of another complaint on 9 August 2023 related to the premises operating until 4:00hrs and providing unauthorised licensable activities:

"That's surprising because this premises is open until 4am every Thursday night. They have indoor charcoal shisha, with at least 120-150 people in there, dancing and with full live entertainment.

Alcohol is sold, as is hot food, which is served until 3am."

On 16 August 2023, I sent a letter to Mr Algul having discovered various events had taken place at the premises such as 'Chaabi Moroccan Night' on Thursday 3 August 2023 (Appendix 5) and 'TIIW TIIW' on Sunday 6 August 2023 (Appendix 6) on a social media platform via Instagram. Furthermore, an event had been advertised to take place on the Sunday 27 August 2023 (Appendix 7). Mr Algul was requested to provide CCTV footages for the events that had taken place and reminded that he had not applied for a TEN for the upcoming event on 27 August 2023 (Appendix 8).

On 16 August 2023, I received an email from Mr Algul stating that his CCTV guy will save the requested CCTV, however TIIW TIIW scheduled on 6 August 2023 was cancelled and the event organised for 27 August 2023 will 'close'.

The Licensing Department received notification of a complaint on 17 August 2023 stating the following:

"The most concerning issue is the heavy smoking that takes place inside the restaurant. There were more than 200 customers smoking shisha and cigarettes indoors, which made it difficult to breathe properly.

Additionally, I discovered that the restaurant was operating until 3am, even though their license only allows them to stay open until 11 o'clock. It is clear that they are not following the rules outlined in their license. Furthermore, what alarmed me the most is that the restaurant allowed teenagers to consume alcohol and smoke shisha and cigarettes insides no ventilation or any window open.

This goes against the legal regulations regarding the consumption of such substances by minors and raises serious safety concerns. It appears that the Alaturca restaurant is solely focused on making quick profits and does not prioritize the safety and well-being of its customers."

On 23 August 2023 I spoke to Mr Algul on the telephone to make arrangement to collect the CCTV footages. Mr Algul said his security team were dealing with the requests will contact me soon to assist with my investigation. A reminder email was sent to Mr Algul on 25 August 2023.

On Wednesday 30 August 2023 at 11:00hrs, Licensing Officer, Mohammed Serdouk visited the premises in attempt to obtain the CCTV recordings on my behalf. At the time of Mr Serdouk's visit, he was made aware Mr Algul was travelling abroad due to personal reasons. It has been noted that the member of staff whom Mr Serdouk engaged with was unable to operate the CCTV system contrary to Condition 5 on the premises licence, which states:

Condition 5 - 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 premise 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.

Between the 17 August to 30 August 2023, Mr Algul and I exchanged a number of emails in respect of the complaints and CCTV requests, which was never provided (Appendix 9). This is a clear breach of:

Condition 1 - CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from Brent Council upon request.

On 4 September 2023, we received a complaint concerning noise nuisance and breach of opening hours:

"I live in Roe green village and the noise from the park has become so disruptive. Several weekdays and every weekend including Sunday night the music from events at the Alturca restaurant is heard loud enough until 2am. I have to keep the windows closed and I have now taken to wearing noise cancelling headphones indoors. Some nights louder than others, but it's a constant drum beats and the loud singing. I have tried the noise app and made some recordings, but it keeps saying contact council first etc. I called the restaurant once to ask them to reduce the volume and the waitress could hardly hear me as it was so loud in there (not sure it's good for staff health and safety either). She did ask them to close the doors, but it didn't last long. The lounge calls itself a restaurant, but appears to be functioning as a nightclub. They also don't seem to appreciate that there are houses on the other side of the park, not just the school.

A further complaint was received by the Licensing Department on 5 September 2023 alleging that the premises was hiring illegal workers:

"As you can see all the imigrated peoples are hired on this place. This lady does't have the right to work. Please check."

On Wednesday 6 September 2023 at 15:40hrs, I visited the premises as Mr Algul had not provided the requested CCTV footages. At the time of my visit, I spoke with a member of staff who informed me that they had been trained on licensing in their previous job, however they were unable to demonstrate that the specific conditions embedded on the premises licence were met.

Shortly afterwards, Mr Algul appeared on site and showed me the WhatsApp messages between him and the CCTV engineer on his mobile phone. Due to an injury, the CCTV engineer had not been able to action the task. Mr Algul confirmed that the requested CCTV recordings are still available.

On 8 September 2023, I sent a letter to summarise the nature of my visit and what was discussed between Mr Algul and I on 6 September 2023 (Appendix 10).

On 13 September 2023, the Licensing Department were notified that the premises was causing noise nuisance, opening until 3:00hrs and guests were parking on the pavement:

"One thing I still wondering about is the licensing hours they have for live / dj music. Which days of the week and how they differ from weekdays to weekends. Alaturca lounge seem to have a very open idea about, not just the noise level, but also the hours and days of the week they are playing music. Not uncommon it goes on until 3am.

Also maybe something can be done from the car parking team when it comes to how their guests are using the pedestrian area as a car park. Please see photo attached from Monday when 2 cars were parked like this. During a Friday/Saturday it can be up to 10 cars."

On Saturday 6 November 2023 at approximately 00:10hrs, a collaborative visit to the premises was undertaken, featuring the presence of Nuisance Control Officer, Diane Lewis (Appendix 11) Brent Council Security Officer Yusuf Jama, and PC Walter Hotobah During (Appendix 12).

Before entering, we observed the exterior from an unmarked vehicle, noticing members of the public entering, with numerous vehicles parked on the road and pavement.

Once we confirmed the premises were open to the public, we proceeded inside. As I walked towards the premises, I could hear music emanating from the inside. On entry, the atmosphere was noticeably crowded, smoky, with patrons standing, dancing, and seated.

Observations revealed patrons partaking in cigarette and shisha smoking within the confines of the primary dining area, which exhibited substantial enclosure, while live music was played. I took pictures using my camera phone (Appendix 13)

At the time of my visit, Mr Algul was present on site. I told Mr Algul that the Council were in receipt of further noise complaints and allegations of breaches of the premises licence in relation to the premises opening beyond the permitted hours.

I also notified Mr Algul that I was still awaiting the CCTV recordings, despite several reminders. Although Mr Algul apprehended my concern, he was unable to confirm when he would be able to provide the outstanding request.

I questioned Mr Algul as to why the premises was still in operation. Mr Algul said it was 'his' birthday and he thought it was a bank holiday due to bonfire night.

We attempted to walk around the premises to conduct a full inspection in Mr Algul's presence, however Mr Algul initiated that he did not want us not to continue in view of his patrons. Due to the crowded and smoky environment, we departed to the rear of the premises to assess the surroundings and made our way back to the front entrance.

Whilst I was speaking with the security team, Ms Lewis and Mr Algul left the scene to discuss noise nuisance matters.

There were five male security staff members on duty on the night. I asked the head of the security team to present me with the incident book, which is a condition embedded on premises licence. The security staff was unable to provide me with the incident book. Thereafter, I asked him to confirm the venue's age verification policy in relation to alcohol, he said no one under the age of 21 are permitted to enter the premises. It was evident that the security team were not familiar with licence conditions, in particular condition 7, which states:

Condition 7 - A 'Challenge 25' policy shall be adopted and adhered to at all times.

When Mr Algul returned to the scene, I asked him if he had a TEN in place. He mentioned his agent 'Sanjay' had applied for a Temporary Event Notice (TEN) to extend the closing time to 2am in celebration of his birthday and only tickets are allowed upon entry. Mr Algul was informed that no TEN had been submitted for extended hours according to the Council's record.

I requested to view proof of the TEN acknowledgement, which Mr Algul confirmed he had received but couldn't show me at the time as it was saved in his other phone.

Mr Algul advised me that the last TEN he had applied for was a few months ago.

He stated that he is regularly on site on Fridays and Saturdays. I asked him if he hosts events on Thursdays and Sundays, to which he answered 'no'. I enquired if I was able to view CCTV footages on 19 and 22 October 2023, Mr Algul said the footages are deleted on his phone but are saved on the system.

I noticed that the SIA member of staff who was managing the front entrance, did not have a clicker to monitor the capacity, which lead me to question Mr Algul about the number of persons in the venue. Mr Algul showed me an App on his phone, which revealed he had 115 persons in the venue at the time. The capacity number is captured at the front helpdesk and saved on the App.

Mr Algul was advised that he is required to undertake a capacity risk assessment as per condition on the premises licence. It was also apparent that Mr Algul had failed to comply with other conditions embedded on the premises licence as outlined in my previous letters.

Upon existing the premises, I observed an altercation between two males at the front lobby entrance at 00:45hrs. Mr Algul advised me it was just an argument between friends. Before my departure, I asked Mr Algul once again to confirm his closing time.

He said he will close at 2am even though his TEN permits him to open until 3am.

Once we left the site, I asked the security staff if the number of vehicles parked on the pavement adjacent to the premises belonged to their patrons to which he answered 'yes'.

PC During then alerted me of an altercation between a couple of patrons that had just left the venue and headed towards the parked vehicle located on the pavement to engage with the individuals before it escalated.

Once PC During rejoined the group, we left the area to continue with our duties.

On 7 November 2023, the Licensing Police PC Philip Bristow sent a formal email to Mr Algul and copied the Licensing Department regarding an incident that had occurred on 15 October 2023.

"Officers have attended the venue on the call that was made to police at 02.45hours and police have been on scene from 02.50hours on the 15 October 2023 whereby they have been inside your venue at 03.05hours and it is clear that customers are still drinking at tables."

It was apparent that the premises had been operating outside the permitted hours without a TEN in place. (Appendix 14)

In connection with my visit on 6 November 2023, a letter was sent to Mr Algul on 13 November 2023 to officially confirm that he does not possess a Temporary Event Notice (TEN) at the time of my visit. Consequently, this renders him in breach of his licence for the provision of unauthorised licensable activities.

Furthermore, Mr Algul was duly requested to supply CCTV footages covering a range of dates within a specific timeframe in conjunction with the outstanding CCTV footages for August 2023, despite previous reminders. Mr Algul once again failed to contact me by the date of Friday 17 November 2023 to make such arrangements (Appendix 15).

On 8 January 2024, Nuisance Control Officer, Diane Lewis notified the Licensing Department of further noise complaints. Ms Lewis communicated with Mr Algul and was informed that he had a TEN in place. Ms Lewis states:

"Noise complaint 6th Jan 2024 - late night music and he advised that there was an event for which he had a TENs for. He went on to say that he had submitted one and that it had been approved by yourself. I commented that I found this very hard to believe but he was adamant that he had received approval."

The complainant called the service again on Sunday 7th at 23:38. I called her back at 00:35 and she confirmed the music was still on."

Following the notification of noise disturbance, I had reason to suspect the premises was operating outside the authorised hours during the festive period, which triggered a letter dated 15 January 2024 informing Mr Algul that he had no TENs in place and to provide CCTV recordings for various events (Appendix 16).

On Wednesday 17 January 2024 at approximately 17:23hrs, I served a copy of the letter dated 15 January 2024 to Mr Algul in person at the premises. At the time of my visit, I expressed my serious concerns regarding the number of ongoing complaints linked to the premises. Mr Algul was reminded that PC Philip Bristow had also requested CCTV footage and yet to hear a response.

Mr Algul said he was going to 'closed down' the premises after the weekend. I asked Mr Algul to clarify what he implied by 'closing down' the premises. Mr Algul said he will close the premises temporarily to fix all problems including planning issues. Mr Algul admitted that he has not complied with the conditions embedded on the premises licence as addressed in our previous engagements.

On 18 January 2024, I sent an email to Mr Algul to summarise my visit on 17 January 2024 in request for CCTV footages alongside written confirmation of when he was intending to close the business and to notify the Licensing Authority when he resumes business again (Appendix 17).

To date, Mr Algul has not responded to my requests. Moreover, the premises has remained in trading despite Mr Algul's intention to close the business temporarily to address the issues.

On 30 January 2024, the Licensing Department were notified of noise complaints via the local Councillor stating:

"I have attached some recordings made on Sunday 28th January between 1.30am and 3.00am. Hoping you can access these files and able to listen for yourself to what I am subjected to hearing every weekend from 10.00pm until 3.00am. I phoned the noise team on Sunday 28th January at 12.30am to report very loud excessive noise and also uploaded on the noise app. I was not contacted and excessively loud music continued all night, which makes me believe that Brent Noise team did not attend the lounge or even follow up in any way. The music vibrates through my home and I am unable to sleep or concentrate. This is totally unacceptable and I am not what else I can do with regards to this. Any thoughts?"

It actually got worse last week because loud music was played from the lounge on Tuesday 23rd and Wednesday 24th January all evening, so my only respite was Monday and Thursday. This shows that they will continue with this noise pollution and ignore complaints from the local residents and also ignore any Brent Noise Team intervention. Has there been any further follow up from Cllr [REDACTED]?"

On 5 February 2024, the following complaint was received:

"This premises is consistently making a noise nuisance playing music outside past 9pm, so loud I can hear it in my bedroom [REDACTED] away. It has woken me up on several occasions and music is going on until 2am.

Reported directly to the venue and to environmental health but I can't believe we are the only ones being disturbed by this. Their licence states music should end at 11pm and music should not be played outside after 9pm."

On 4 March 2024, the Brent Council's Neighbourhood Manager advised the Licensing Department of another report concerning noise nuisance:

"The music was still playing loudly at 2.40 this morning seen exchange below Also, could you let me know their Sunday closing time."

Since taking control of the premises, Alaturca Lounge has been the subject of numerous complaints from different spectrums. Mr Algul has consistently failed to cooperate with regulatory authorities, repeatedly failed to provide CCTV footages upon numerous requests.

It's evident that Mr Algul had no intention of providing CCTV footages and instead offered misleading information about its availability. Initially, he advised me to procure the footage from security staff, but later asserted that his CCTV engineer possesses it. This inconsistency has resulted in a misuse of Council time.

Furthermore, Mr Algul has continuously disregarded licensing objectives by operating outside permitted hours, knowingly he is required to apply for TENs.

Despite the Council's persistent efforts to assist Mr Algul in achieving compliance, he has displayed a lack of regard for the safety of his staff and customers by permitting indoor smoking and openly admitting non-compliance with premises licence conditions.

Additionally, Mr Algul's poor management practices and neglect of his responsibilities as a licence holder have had a detrimental impact on the wider community. His recent modifications to the business model have proven to be unsuitable and ineffective.

Recommendations:

The Licensing Authority recommend that the premise licence for the Alaturca Lounge, The Lodge, Kingsbury Road, London NW9 9HA is **revoked**.

Revocation is requested in light of ongoing non-compliances and a wilful disregard for residents affected by the premise activities.

The licensing authority reserve the right to give evidence on any further incidents where the licensing objectives have not been promoted which may take place at, or in the vicinity of the premises, between the service of the application and the hearing and/or during the time allowed for any appeal proceedings.

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

Please tick ✓ Yes

If yes, please state the date of that application

Day

Month

Year

--	--	--	--	--	--	--	--

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, 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 (see guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature 

Date 22 March 2024.....

Capacity Licensing Inspector.....

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 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. Further information can be found at www.brent.gov.uk/privacy

You are providing your information to Brent Council, contact details business.licence@brent.gov.uk. The Council’s Data Protection Officer can be contacted via dpo@brent.gov.uk, or 020 8937 1402. Your information is collected for the purpose of processing your licence application as required to fulfil the council’s duties under the following legislation, statutory or contractual requirement or obligation.

Legislation

Context

The information may be shared with the Metropolitan Police, London Fire Brigade and teams within Brent Council, as statutory consultees, the Home Office to ascertain the right to work and HM Revenue and Customs, at their request, to identify potential fraud. The information shall be retained until the licence is surrendered and shall be processed in adherence to your legal rights, including but not limited to the right to withdraw consent, right to copies of your information and right to be forgotten. You have a right to lodge a complaint with the Information Commissioner's Office (www.ico.org.uk)

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.

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:-

Licensing Department
Brent Council
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

☎ 020 8937 5359

Email: business.licence@brent.gov.uk

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

Chief Officer of Police
Brent Licensing Department
South Harrow Police Station
74 Northolt Road
Harrow
HA2 0DN

Tel: 020 4231212

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

Tel: 020 8555 1200 x38778

Trading Standards
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Tel: 020 8937 5555

Environmental Health
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
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
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

Home Office Immigration Enforcement
Alcohol Licensing Team
Lunar House
40 Wellesley Road

London Borough of Brent

Decision of the Alcohol and Entertainment Licensing Sub-Committee following a hearing
on 8th May 2024 at Brent Civic Centre, Engineers Way, Wembley HA9 0FJ

NOTICE OF DECISION

PREMISES

Alaturca Lounge
The Lodge
Kingsbury Road
NW9 9HA

1. Members of the Sub-Committee

Councillors Ahmed (Chair), Rubin and Collymore.

2. The Application

The application is for the review of a premises licence, brought by the Licensing Enforcement officer. The grounds for review are the prevention of Crime & Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from harm.

3. Representation

Mr Gokcan Algul, the Licence Holder, attended.

Representations were received from the following parties, who attended and made oral representations, and from other local residents:

- Ms Esther Chan, Licensing Officer
- PC Phil Graves, Licensing Police
- Mr Ketan Joshi, Nuisance Control Team Officer
- Ms Avril Nightingale, Food Safety Officer
- Mr Tim Rolt, Planning Enforcement Manager
- Resident 1
- Resident 6

4. The Hearing

Cllr Ahmed opened the meeting and all attendees introduced themselves. There were no declarations of interest.

Ms. Legister introduced the application.

Licensing Officer

Ms Chan stated that Mr Algul had failed to uphold the licensing objectives, which necessitated a thorough examination of his activities as a responsible licence holder. Since taking responsibility, he had consistently failed to adhere to the licence conditions and to heed complaints of noise nuisance. He had failed to provide CCTV footage to both the licence authority and the police despite repeated requests. There was also evidence he had repeatedly operated the business outside his licensed hours. He had applied for a TEN and withdrew his application to extend the hours last year. There had been a temporary closure of the business following the review application, but it was later discovered that Eid events had been conducted. Her investigation revealed that Mr Algul had consistently flouted the conditions by trading beyond his permitted hours. She referred to the CCTV footage. She stated that the footage confirmed the presence of SIA at the front of the premises past 1.30am on 15.04.24, during the Eid period. An advert for the event had been posted on Instagram and then removed shortly after Eid. CCTV showed a number of individuals leaving the premises past 3.15am on 15.04.24 and she stated that there was a trend of the premises closing at 3 or 4am despite the licence allowing opening hours only up until 11pm. CCTV from just past 3.30am on 22.04.24 showed a fight breaking out down the side of the premises, then moving across the main road and back. Ms Chan stated that Mr Algul had told her he had reported a burglary on the day but that it was clear from the CCTV that the premises were in fact open and an incident, the fight, had taken place. Police arrived at 3.35am and the individuals dispersed. Mr Algul never told Ms Chan about any of the events on that day. She had received consistent complaints from members of the public and referrals from responsible authorities. She had attempted to work with the Licence Holder by sending him letters, reminders, telephone calls and by a visit in November 2023. He had ignored the council's requests and declined to comply with the conditions, so she asked that the licence be revoked.

In response to questions from Cllr Rubin, Ms Chan stated that condition 19 requires an incident log to be updated and provided. Knowing of ongoing issues, she would have expected the DPS to notify the police and work with licensing. She believed revocation was necessary because this licence was built for a community café. The licence holder had gone beyond his licence to say the least by turning it into a nightclub. The council had put a lot of resources from different teams to help him to comply. And suspension would not help because of his failure to respond and comply. The licensing team's job is to help the

Licence Holder to uphold the objectives. They knew it was under new management and gave him the opportunity to change the licence and the DPS. From then onwards they noted consistent complaints. She had made provisions to visit during the day and night and requested a different officer to visit, to capture a spectrum of different matters. She had worked with Mr Algul before because his family runs a number of venues in Brent. He is experienced in terms of the Licensing Act and initially appointed agents when he applied for the variation. He is aware of TENs. On 05.11.23 she asked him about that, he claimed to have a TEN but there was none on her system. This was affecting the wider community and revocation was the best solution.

Mr Algul said to Ms Chan that he accepted they had made mistakes in the beginning. Ms Chan had visited once and told him a number of things to do, and he asked when her next visit was. Ms Chan stated that she had visited the premises on a number of occasions during the day and night and given a summary every time. She accepted that Mr Algul had applied for extended opening hours. He asked why she had told him to withdraw that application. She denied telling him to withdraw it. Applications go through various channels and she simply explained the process: it is not up to her to make the determination. Ms Chan stated that he had appointed an agent to assist her with the application. He had asked her, and she explained the process, when she said that one option was to withdraw the application if he needed more time. He asked again when she had most recently inspected to check whether things were done, and she responded that had they been done he should have contacted her: it is his responsibility to ensure all conditions are met. When she delivered the papers in March, she asked him whether he had fulfilled all the conditions. He said no and that he would close for a period of time to address all the issues, not just licensing but those raised by other authorities. She asked if he was closing down for good or just for a period of time and he misled her throughout that conversation.

Licensing Police

PC Graves started by reminding everyone of some of the conditions on the premises licence and read out (1) which deals with CCTV, (5) which deals with provision of CCTV evidence to authorities, and (14) which deals with noise. He referred to the police statement, pointing out that the venue should have been shut at 11pm. When the officer attended on 05.11.23, he immediately heard loud music. At 00:15 he saw customers entering the premises. He entered the premises with Ms Chan and saw alcohol being served from behind the bar, smoking inside, loud music playing, and hot food being served from a grill/barbecue within the venue. The officer spoke to the DPS and there was a disturbance/argument between customers while he was leaving. PC Graves reiterated that all of this took place past 11pm. On 07.05.23 a fight and assault took place, classed as GBH, where a victim lost a tooth. His colleagues went through the victims' phones as part of the investigation. The phone had been used to make payments at the venue past

midnight, when again it should have been closed. At 02.45 two drunk females were ejected from the venue following common assault. An assault classed as ABH took place at 02.30am in the toilets. On 14.01.24 a domestic incident was recorded outside the venue at 03.20am when SIA were on duty. His colleagues spoke to the victim, who stated that the fight had started inside the venue and then spilled out onto the street outside. Uniformed officers spoke to staff and asked for CCTV. Staff were described as obstructive and rude to police and stated that they did not have CCTV. They are obliged to have it and to provide it to police officers to assist with any investigations. On 22.04.24 a burglary was reported at the location, where the DPS made the call to the police. When the call was made, the DPS did not want police to attend the venue: he just wanted a crime reference number. During that burglary, allegedly the CCTV was damaged and £500 worth of alcohol taken. The footage Ms Chan had played from a council camera showed a fight at 03.31am. Going through police records, he had found one incident where police had requested CCTV and it had not been provided: the domestic incident on 14.01.24. his colleague, PC Bristow, contacted the DPS via email to request CCTV of the venue. The DPS response was that the incident took place outside so CCTV was not necessary. The officer asked again and explained it was a requirement, but the footage was never provided. A warning letter was sent regarding an incident on 15.10.23 relating to unauthorised sales of alcohol, regulated entertainment and late-night refreshments. From a policing perspective, there were six recorded incidents which all occurred after 11pm when the venue should have been closed. All were unauthorised sales and activity.

There was one incident where CCTV was not provided to police, preventing the thorough investigation of a domestic incident, one warning letter had been sent, there were numerous breaches of the premises licence, and it was very disturbing to find staff members were very anti-police and informing officers that they did not have CCTV and could not provide it when it does exist, is required to exist, and they are required to provide it. Adverts on social media show the venue opening until midnight. This is a venue breaching its licence conditions, operating until 2, 3, 4am. Police and council had tried to engage with the DPS to explain these flaws and errors but been totally ignored. No TENS were put in during all of these breaches. Taking all of that into account – the numerous breaches, crimes, attempts to engage by police and council – the only solution the police could see was the revocation of the licence.

In response to questions from Cllr Rubin, PC Graves stated that it was very rare for CCTV cameras to be broken during burglaries. His opinion was that CCTV tends to be broken in these types of venue when a request for CCTV is made by a responsible authority. His opinion on behalf of the Met Police was that all avenues other than revocation had been tried. Closure at 11pm had been ignored on a weekly basis. The police, council and departments had tried to negotiate with the DPS, and all been ignored. The decision was in the sub-committee's hands, but his opinion was that revocation was the only option.

Mr Algul asked PC Graves about an incident in May, when a gentleman lost his teeth. He stated that the incident happened outside and that he could not send the CCTV by email but could use WhatsApp. He sent the officer an image from the footage, then the next day they came and took all the CCTV. They had facial recognition systems but no CCTV outside the premises. He accepted an officer had called about the 'domestic incident' but there are no cameras outside. PC Graves explained that he did not say the tooth incident CCTV had not been provided: he meant the January 2024 incident – the 'domestic'. Mr Algul asked PC Graves about the burglary, which was the second. The first time police had attended and found nothing because the burglars came from the back and they had used the same entrance this time. The CCTV is on top of the door. In the first burglary they broke the CCTV cameras too. PC Graves did not dispute that this was the second burglary, but the CAD showed that Mr Algul had said he did not want the police to attend. Mr Algul accepted that but said that he thought nothing would happen. He just wanted the crime reference number for his insurance.

Nuisance Control Team

Mr Joshi stated that from 07.05.23 to 14.04.24 a total of 13 residents had reported noise disturbance from loud music. They were supported by 86 recordings submitted via the noise app from 10 individual residents in the local area. From 07.05.23 to 11.02.24, 18 telephone call logs were made to their nighttime noise service reporting loud music from these premises. They had received 11 counts of written correspondence from 18.05.23 to 13.03.24 regarding noise from this venue, mostly from residents but also from local councillors on behalf of constituents on 3 occasions. A noise abatement notice was issued following the review of audio evidence and first-hand assessment at street level. It was breached on 28.01.24. They had evidence to support a prosecution and the case is going to court, pending a hearing date. On 06.11.23 a FPN was issued following review of recordings via the noise app. These were exceptionally loud. Mr Algul said at the time that it was a birthday celebration at his premises. He failed to pay the FPN. A reminder was sent on 27.11.23 but the FPN still remains unpaid. Throughout their investigation, nuisance control had engaged repeatedly. Despite repeated advice and warnings in writing, in person and by telephone, he had failed adequately to manage entertainment noise from the premises. The team was of the opinion that the building is inadequately soundproofed. The area is residential and it is essentially a nightclub. As well as loud music, local residents are also likely to be affected by dispersal of patrons. More recent noise monitoring had taken place over the past few weekends, from 19.04.24 to 05.05.24, and on all six occasions loud music and deep, thudding bass were audible from across the road at two locations, Valley Drive and Old Kenton Lane. The current sound insulation is inadequate. They had some video footage with sound, which was played. Videos were taken at 01:27, 00:32, 23:10, 23:46, 23:50 and 00:53, all outside opening hours. The nuisance control team support the application for revocation if the premises operate in

its current state, as a nightclub. If he were willing to downgrade to a restaurant with background level music and a family-type situation that might be suitable.

In response to questions from Cllr Collymore, Mr Joshi stated that he had engaged extensively with Mr Algul. There was a period over the summer where colleagues from the noise team were there pretty much every weekend, either following a complaint or doing a drive-by. They had a routine where he would call Mr Algul out and they would stand 50 or so metres away, he would accept it is very loud and ask what he could do. Mr Joshi would advise him that the sound insulation is inadequate and the building not suitable and there were various instances where he would be on the phone to the DJ telling him to turn the music down and not being able to, getting the volume down to a somewhat acceptable level only after multiple attempts. On other occasions it might go down but then go back up again later in the evening. They were giving the same advice again about insulation and keeping noise at a moderate level. He referred to condition 14, 15 and 16 and pointed out that Mr Algul should be aware of these conditions. There was no adequate way of monitoring noise – security standing outside when music could be heard way across the road would argue that the music was not really loud. He had to ask to speak strictly to Mr Algul rather than argue with security. They visited as recently as 05.05.24 and the noise is still there with no change at all. Mr Algul has referred to carrying out a number of works to install sound insulation, but the team did not feel it was adequate: they need to be carried out by a qualified technician who can perform the works and provide certification. Just employing builders to install insulation was not enough. Every visit every weekend over months had been the same, with extremely loud music and thudding bass audible over 50m away. They picked areas to represent the spread of noise likely to impact the majority of residents in buildings in that area. The recent visit showed that the noise problem was still there. His standard protocol including getting audio recordings through the app and messaging residents back to confirm receipt, review and action. They engage on that level and with phone calls that come in but they have separate engagement with residents and licence holders/alleged offenders, without mixing the two because it doesn't generally end well.

In response to questions from Cllr Rubin, Mr Joshi stated that the problem was the structure itself. Sound insulation can be upgraded to a certain specification to prevent the breakout of entertainment noise but one of the issues is that he operates a shisha area as well, which means that patrons moving from the restaurant or dance floor area to the shisha smoking area will cause noise breakout. Smoking legislation requires a certain coverage of area so he cannot enclose a smoking area. He will have issues where patrons move between two areas: there will be noise breakout if someone decides to go for a smoke and opens the door while the DJ is playing. The smoking area is not just going outside but a side extension area where patrons sit down and smoke shisha. It is not like going outside for a few minutes for a cigarette area but instead spending the evening

there. Without the shisha the premises could be completely sound insulated if double lobby doors were installed. Downgrading the premises to a restaurant environment which terminated at 11.00pm and played background level music might be acceptable with sufficient sound insulation but a nightclub could not work.

In response to questions from Cllr Ahmed, Mr Joshi stated that there were reports from both before and after 11pm.

Mr Algul said he had nothing negative to say about Mr Joshi, who had been helpful from the start. He had downgraded the speakers and installed insulation but the only thing he could not install was the sound limiter because they could not find someone to install it. He stated that it is not a nightclub but a restaurant with music. Mr Joshi stated that in his opinion someone outside with their mobile phone would catch a lot of traffic noise and wind in the recording, which is not necessarily representative. He had shared all the audio recordings with Mr Algul and there were some instances when it could be said that arguably the person was outside or holding the phone on a balcony. That would be maybe a couple that might have been recorded outside, out of the 86 recordings received. Most complaints came in peak summer because the weather causes people to leave windows open and spend more time on balconies, so there will be much more background noise of wind and traffic as well as from the premises. Residents are entitled to spend time on balconies and with their windows open and those recordings are still representative of the noise situation. He had also visited properties.

Food Safety Team

Ms Nightingale stated that her team is responsible for enforcing smoke-free regulations. She received a complaint in June regarding the smoking of shisha inside the premises. She was not sure if it was the dining area or a separate area. She attended and noticed that they did have an allocated smoking area outside for shisha, but it also had a retractable roof attached to the edge of the restaurant. The shisha area must be 50% open to allow smoking, which does also create noise. She referred to a photograph of the area she took, following which she checked the plan and sent a warning letter to Mr Algul about the 50% rule. In her opinion, the area was substantially enclosed. She carried out a safety inspection in August and nothing had been done, which was when she sent the second letter. During the inspection, she looked at fire safety as well and found unsafe decorations, equipment and uncertainty about the emergency lighting and evacuation procedures. She referred these matters to the fire authority and advised Mr Algul to contact the fire authority for advice. The number of electrical installations, including the retractable roof and neon lights led her to advise him to get an electrical certificate so they could verify that it complied with the law and regulations. She had not received anything to date.

In response to questions from Cllr Rubin, Ms Nightingale stated that she asked the committee to revoke the licence because Mr Algul was new to the shisha business but had been sent two warning letters. She was very familiar with him from his other businesses and quite surprised that he was not complying. Moreover, compliance with the smoke-free regulations would create more noise. She considered shisha different to a standard nightclub smoking area because people actually sit down in the area for it and there is a TV out there.

Mr Algul referred to Ms Nightingale's photograph and pointed out that the panels have no glass or plastic behind. He had followed the instructions her colleagues had given him. She did not accept that the photograph showed the structure was 50% open and pointed out that the roof was included as part of the calculation.

In response to questions from Cllr Ahmed, Ms Nightingale estimated that the area was 75% enclosed. She considered it to be substantially enclosed, which is not legal for smoking.

Planning Team

Mr Rolt stated that planning permission was granted on 15.12.14 for use as a café with ancillary accommodation on the first floor and various extensions and an outdoor seating area. It was envisaged that it would be a café for the park. There was a planning condition attached to the use as a café which permitted it to be opened essentially until midnight, on the basis that it would be a café and the likely noise would be less than a nightclub type use. Planning permission is not required to change use from café to restaurant but is required to change to shisha bar, nightclub, or mixture as restaurant/nightclub/shisha. You can do various activities incidental or ancillary to a café/restaurant use provided it is a very, very small part of the nature of the business. He had been investigating use since Mr Algul took over. They had not formally instigated proceedings because Mr Algul convinced him initially it was still restaurant use. Evidence heard after that meeting and today indicated that it was not restaurant use but large-scale mixed-use, as did posts on social media. He did not consider this to be within planning permission. There had been problems with the site before Mr Algul took over because the extensions did not comply with the planning permission granted. The building was built as a lodge for the manor gatehouse and any extension there requires particular attention to be paid to the characteristics. They had done a lot of work with the long-leaseholder. The council owns the freehold, it is let on a long lease and Mr Algul has a sub-lease. The long-leaseholder made various changes without permission. Some were granted retrospective permission after working with the council. That included a retractable canopy but that built was not the one for which planning permission was granted. The one built was much bigger and heavier. The problem with retractable canopies is that the bigger they are the more support they need to maintain their structure, otherwise they get blown down. The

council took action and the structure was removed by the long-leaseholder but when Mr Algul took over it was then re-erected in breach of the enforcement notice. They attempted to get him to take it down and had a couple of meetings but another structure was built on top of that seen in Ms Nightingale's photos that resembled scaffolding. He had subsequently met with Mr Algul and persuaded him to take the scaffolding down, which he did, but large parts of the retractable canopy remain in breach of the permission and notice, which is a criminal offence. Planning say that it does not look nice, is not well-designed, looks intrusive to the character of the building and the noise generated is impacting residents. Having said that, planning is a separate forum. He wanted to highlight that it is a criminal breach of an enforcement notice because the canopy is still up and there is no planning permission for the use of the premises. They had tried to work with Mr Algul but it was obviously not working so he supported revocation.

In response to questions from Cllr Rubin, Mr Rolt stated that he prioritised the criminality/crime and disorder licensing objective because the canopies needed to be removed, were removed and then went back up again. Planning is a separate regime with separate appeal rights.

Mr Rolt accepted that he had had a meeting with Mr Algul and various other individuals. He had no pre-application registered on his system. Mr Algul stated that he had delivered everything discussed with Mr Rolt, which Mr Rolt did not accept.

Local Residents

Resident 1 stated that the premises had started off as a café in a park and that it is now a nightclub with security guards on the door. There is drinking from 10am with a nursery nearby. The police are having a nightmare during the winter. In summer there will be more smoking and drinking outside and the whole situation will escalate from what was happening. They were hoping for a café in the park but it is absolutely not. There are rats running around. The council cleared them before but they are back and have been reported.

Resident 6 stated that this building should not exist. Under a covenant with the council when the land was semi-gifted in the 1930s, there was to be no building along the Kings Road. He had raised this for around 10 years in the property department and never had any satisfactory response. The sub-let is completely unlawful. Council consent is required for sub-lets and was never sought. It could not be run as a café and is now a nightclub.

In response to Cllr Rubin, Resident 6 stated that the park is subject to a PSPO so it makes no sense that any alcohol licence was granted in the first place. Mr Algul was trading and selling alcohol illegally. Ms Chan did not prosecute but instead granted a licence. She told him that Mr Algul had agreed to stop sales pending the grant of the licence but he never

did. The premises are immediately adjacent to a school for special needs children, a playground, and a nursery. The lower part of the high school is within 100 yards.

Mr Algul asked Resident 1 about the rats, given that the area is in the park. She responded that she has lived in the area for over 30 years and rats were only a problem when it became Alaturca. She did not accept that the skip company next to the nursery was a danger to the children.

Licence Holder

Mr Algul stated that he was not new in the business but had been in it since 1999, especially in Willesden Green where they started. He did not deny making mistakes, including personally, but to revoke the licence straightaway would be a big punishment. He used to have a restaurant in Kingsbury. Since this place opened they had not started doing events or live music from day 1. They started doing live music last year but had the problem with it being a café in the park. He gets told all the time that it should be a café in the park serving English breakfast, but the licence allows a café, a restaurant. It was not deniable that he had made mistakes, but the officers knew they were willing to work, and he thought that revoking the licence straightaway would be a big punishment.

In response to questions from Cllr Collymore, Mr Algul stated that he had premises in Willesden. This was his first time serving shisha. He had a 200-seat restaurant in Willesden Green, takeaways etc. and restaurants open but this was his first experience selling shisha. He had the alcohol licence training, management, food hygiene, chef's certificate and had been trained. He said that he understood the four objectives and was trained not to serve underage people. The condition is challenge 25. When Ms Chan visited on 05.11.23 SIA were not aware of the Challenge 25 policy and there were no signs in place. He would not sell underage, not sell to someone who is drunk, and have security to check IDs for every person that comes. For health and safety, they have CCTV cameras, electricity certificates, etc. When asked what the four licensing objectives were, he replied police, noise, licence.

In response to Ms Chan, Mr Algul confirmed that if the CCTV receiver goes, everything goes. The new CCTV receiver was installed on 23.02.24.

In response to questions from Cllr Ahmed, Mr Algul accepted that the time limit is to close at 11pm. When asked if most of the incidents were after 11pm, he said yes and no. He accepted that he had opened and served customers after 11pm. He described revocation as an uppercut, not a slap on the hand. He said he would work with Ms Chan. He did not deny that he had made mistakes but always worked with the council and hoped to be able to solve it. They always had an enforcement notice in place and he denied that there had been the problems with planning Mr Roit asserted. Cllr Ahmed pointed out that most of the incidents were after 11pm and Mr Algul responded that they should close before 11.

His business was only covering expenses at the moment but he accepted that that was his problem and he should not break the law. He knew about TENs and had applied for it but Ms Chan had told him he would not get it.

In response to questions from Cllr Rubin, Mr Algul accepted that domestic violence incidents are very serious. He said that when he spoke to the police officer they had asked for cameras outside the premises. The incident had happened 60m away from the property. The lady came along but the man was turned away. They were never in the property together. The robbery referred to was the second robbery. They entered in the same way, through the back garden. He asked for a reference number for the insurance and to keep for himself. The incident was logged in a book. He had spoken to Mr Joshi about acoustic panels and a sound limiter. He owned 6 or 7 other premises but they do not sell alcohol. He is the DPS for some premises, but his father and older brother are for others. He did not accept that he was overstretched and said he had capacity to cover all the venues. He had personal problems last year but stated that he was very comfortable and confident in the work. He starts at around 10 o'clock and goes around the places, then goes to Alaturca from around 6pm. It opens at 4pm. He used to have a manager but since February he has had a new manager. He believed he had paid the FPN. The accountant handles all bills, fines etc. and works from Wednesday to Saturday. He said he would follow his licence hours and work with Mr Joshi to sort the noise complaints and focus more on it. He had to make sure everything was safe and perfect.

In response to questions from Ms Chan, Mr Algul accepted that he was responsible for overseeing events. He already had bookings after Ms Chan's review application. He accepted it was serious and had not thought to apply for a TEN.

In response to questions from PC Graves, Mr Algul accepted that he had been open after 11pm for the five crimes reported. He had removed the neon signs and did not think he should be judged for what they said. They were just neon lights. Any shisha place has swear words. He accepted that he had ignored the conditions on his licence and opened up. He was asked again for the four licensing objectives and said not serving underage, health and safety.

In response to questions from Ms Meredith, Mr Algul accepted that the CCTV of the front entrance would have showed the man involved in the 'domestic incident.' When asked why he had not provided that footage to the police, he said that he was only asked for outside CCTV.

Summaries

Ms Chan stated by way of summary that the spirit of the licence was for a café in the park. It is being utilised outside the scope of the licence as mixed-use premises. It is very

apparent that Mr Algul has continued to breach the law by trading outside the permitted hours. She questioned his staff training and ability to uphold the licensing objectives based on visits. This is his livelihood but taking away the licence will not prevent him from trading as a restaurant. There is a temptation, even if the licence is suspended, that he will continue to breach the law based on his business model.

PC Graves stated that the venue is a huge problem. Mr Algul admitted at least six times where the DPS had totally ignored the law, operating until 2/3/4am and that appeared to be happening on a weekly basis. He had failed to provide CCTV, which had hindered a police investigation. There were staff in there telling colleagues CCTV did not exist, adverts on social media running up to midnight, noise team comments, generation of crime, and the depletion of police resources. Condition 13 states that people should be sat at tables to be served alcohol, which had been ignored. The more he spoke to Mr Algul the less confidence he had in him to run a venue such as this. The neon signs summed up his views on the rules and regulations. All the authorities had tried to work with him over the past year and he had ignored all the advice given. The only option was to revoke the licence.

Mr Joshi had a lack of confidence in management of the premises. Despite engaging with Mr Algul and giving a lot of advice and warnings, he had not seen results. There was feedback on some sound insulation and a limiter, but nothing had really materialised. A year had passed, and they had repeatedly gone back and engaged, reiterating the same advice without anything materialising. The premises seem to be operating as a nightclub and are certainly loud enough. If sound insulation were to be upgraded, he would have to engage an acoustic technician qualified and registered, who would carry out a survey and make a recommendation for a bespoke sound insulation plan which would include a sound limiter. That would still leave the issue of the shisha bar, which must remain 50% open so there would be sound break there. The entertainment area would have to be completely isolated, with maybe a separate smoking area. The sound insulation works are substantial, costly and time-consuming – could take weeks. During that time there would still be noise nuisance.

Ms Nightingale stated by way of summary that if Mr Algul complied with the smoking regulations it would create noise problems and there were multiple issues, none of which had been resolved.

Resident 6 stated that Mr Algul would obviously not comply with any conditions. If forced to close at 11pm, the premises would go bust. It is not a restaurant - there is no menu. He is effectively squatting there, not in accordance with the terms of the lease, and has made a tremendous amount of money.

Mr Algul stated that he was not a squatter and that he can run a café without serving English breakfast. He can serve what he likes. He accepted having made mistakes and apologised for them.

5. Determination of the Application

Pursuant to section 18(3) of Licensing Act 2003, the sub-committee had regard to the representations and considered which of the steps listed in section 18(4) (if any) it considered appropriate for the promotion of the licencing objectives namely:

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

In making its decision the sub-committee also had regard to the Home Office Summary Review Guidance and Brent's licensing policy. In addition, the sub-committee took account of its obligations under section 17 of the Crime and Disorder Act 1998.

6. Decision

The sub-committee listened carefully to the representations made by the parties at the hearing and took into account the written representations.

There was language used in the course of this hearing that the sub-Committee consider inappropriate and completely unacceptable in this meeting. The sub-Committee has not taken the comments made by either Resident 6 or Mr Algul about one another into account when making its decision.

The sub-committee decided that it was appropriate to suspend the licence for a period of three months and to modify the conditions on it for the following reasons:

1. The licence provides for premises more akin to a café/restaurant, with closing hours of 11pm.
2. A café or restaurant in these premises could properly be operated in accordance with the licensing objectives if it were operated strictly in accordance with the conditions presently on the licence.
3. There were conflicting demands from the Nuisance Control team and the Food Safety team concerning the shisha area. To allay those concerns and ensure that all three licensing objectives, and in particular the objective of preventing public nuisance, are promoted, the following further conditions will be attached to the licence:

- a. An appropriately qualified and registered acoustic technician, whose qualification and registration must be approved by Brent Council's Nuisance Control Team, shall be instructed to carry out a survey and recommend a bespoke sound insulation plan which shall include consideration of insulation, a sound limiter and appropriate double lobby doors between the interior of the premises and any uncovered or partially enclosed area.
- b. Any recommendation made by that technician must be implemented in full, and the result approved by Brent Council's Nuisance Control Team, before licensable activities may again be undertaken following the period of suspension.
- c. There shall be no live or recorded music, or television with audio, in any uncovered or partially enclosed area of the premises.
- d. Any staff directly involved in selling alcohol for retail to consumers, and managers, including the DPS, shall undergo refresher training of Licensing Act 2003 legislation before licensable activities may again be undertaken following the period of suspension of the licence. That training shall be documented and signed for by the DPS and the member of staff receiving the training. This training log shall be kept on the premises and made available for inspection by police and relevant authorities upon request.
- e. Condition 3 shall be amended to state "CCTV cameras shall be installed to cover the full footprint of the premises accessible to the public, both interior and exterior, except the toilets, and in particular shall cover the entrance, main restaurant, bar area, entrance to toilets and external areas.

7. Right of Appeal

The applicant and any person who made relevant representations has the right to appeal against this decision pursuant to section 181 and schedule 5 of the Licensing Act 2003.

If you wish to appeal you must notify Brent Magistrates' Court within a period of **21 days** starting with the day on which the Council notified you of this decision.

Dated 13 May 2024

WITNESS STATEMENT

Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9; Magistrates’ Courts Act 1980, s.5B

URN

Statement of: Brendon McInnes

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 2 page(s) each 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.

Witness Signature: *Brendon McInnes* PC 1187NW Date: 05/11/2024

This statement refers to a Licensing visit that I conducted at Alaturca Lounge, Roe Green Park, Kingsbury Road, NW9 9HA on Saturday 02/11/2024

On Saturday 02/11/2024 I attended Alaturca Lounge to conduct a Licensing Visit. I attended the vicinity of the venue just before 23:30hrs. I stood across the road from Alaturca Lounge and observed the venue for a few minutes. I could hear the music from the venue from where I was standing across the road. The venue should have been closed at 23:00hrs. I observed numerous people entering and leaving the venue.

I then crossed the road and made my way towards the venue and activated my Body Worn Camera. As I approached the venue a vehicle stopped outside the venue and door staff were greeting the occupants of the vehicle as they exited the vehicle. I walked past and went to the front entrance. I tried to open the door but this door was locked from the inside. One of the door staff then approached me asking if they could help me. I identified myself as a police officer and explained that I was there to conduct a licensing visit. The door staff then knocked on the door and got the receptionist to open the door. I entered and could hear the music. There was another set of inner doors that were shut and as I approached the inner doors door staff told me to wait a minute. I then explained to the door staff that should I be obstructed they will be committing an offence and could be arrested. I then walked through the doors and the venue was packed. Loud music playing, flashing disco lights and the place was filled with smoke due to a number of people smoking Shisha. Every table inside was occupied and from what I could see was around fifty (50) people inside with drinks in front of them and Shisha Hookah on the tables. Mr Algul the DPS and Licence holder approached me and asked if we could talk in the reception area. I informed Mr Algul that we will but I wanted to have a look around first. Mr Algul continued to insist that we talk then as if trying to rush me out. I then stepped into the reception area and asked Mr Algul what the time was? As to point out that it was passed 23:00hrs. Mr ALgul replied, "Well we have the letter from you and this is our last week." Making reference to the summons that I had served Mr Algul to hear the application for a closure order on the 25/10/2024. Mr Algul went onto say that as of Monday he will be operating as a restaurant and no longer serving alcohol. I explained to Mr Algul that was he was doing was against the law and that he could be prosecuted for the activities taking place. Mr Algul agreed with me and that he knew it was against the law. I then asked Mr Algul if he knows that it is against the law, why is he doing it. Mr Algul replied by saying he had a contract with the singers and that he could not cancel it. I went onto say that he could be fined thousands of pounds. I then asked Mr Algul what time he closed last

Witness Signature:

Signature Witnessed by Signature: *Brendon McInnes* PC 1187NW

Continuation of Statement of:

Friday when I served the summons and Mr Algul replied, "I'm not going to lie, I stayed open late." Mr Algul went onto say that he acknowledges that the relationship with police was up and down but he wants to work with police and improve the relationship. I explained that he had said this before not only when I served the Section 19 Closure Notice on him on the 22/08/2024 but also when the council had reviewed his licence earlier in the year. During my conversation with Mr Algul there was still a steady flow of customers arriving even tho it being well beyond the licensable hours for the venue. There was one group that arrived and informed the receptionist that they had a table booked for 6. The receptionist grabbed some menus and escorted the group through the doors into the venue and showed them to a table.

Thus just showed that Mr Algul has no regard for the law. Mr Algul will continue to breach his licence and continue to stay open well beyond his licence allows. This has been demonstrated in the past and within previous statements provided where police have tried to engage with Mr Algul. Police have warned Mr Algul and all attempts have had no effect.

This visit has been recorded on my Body Worn Camera and I exhibit my Body Worn Video as my exhibit. Exhibit BRM/01 Alaturca Visit 02/11/2024.

[Large handwritten signature area]

Witness Signature: *[Signature]* PC 1187NW

Signature Witnessed by Signature: