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

10 December 2024

Ref: 33504

Dear Business Licence,

**Representation in support of the application to review the premises licence for Alaturca The Lodge, Kingsbury Road, London, Brent, NW9 9HA (Premises Licence Number: 16394).**

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

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

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

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

Licensing History

The premises licence was originally granted on 22 July 2019, following the agreement of several conditions with various responsible authorities during the 28-day consultation period.

The initial description of the premises within the original application stated: "*The restaurant provides food, burgers, pizza, bbq, it is a coffeshop serving cakes, ice cream, waffles, crepes. We wish to supply wine and beers in the area and customers will enjoy wine with their pizza, burgers, bbq menu.*"

The current premises licence holder, Gokcan Algul, has held the licence since 6 April 2023. Mr Algul has also been named as the Designated Premises Supervisor (DPS) from the same date.

## Previous Review Hearing

The premises has been subject to one prior review hearing, which took place on 8 May 2024. On this occasion, the application to review the premises licence was brought by the Licensing Authority on the grounds that all four licensing objectives were being undermined. The basis for the review cited failures such as, non-compliance with premises licence conditions & permitted hours, unauthorised licensable activities, poor management practises, and numerous noise-led complaints.

The application was supported by Brent Council's Nuisance Control Team, Brent Council's Planning Authority, Brent Council's Environmental Health Department (Food Safety) and six other persons (members of the public, two of whom attended the hearing).

The Licensing Sub-Committee determined to suspend the licence for three months, modify one condition, and impose additional conditions.

Two of these conditions, set out within Annex Three of the premises licence, are as follows:

***Annex Three, Condition 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.*

***Annex Three, Condition 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.*

Despite these requirements being clearly outlined in the decision notice, Ketan Joshi, Nuisance Control Officer, has confirmed that the premises licence holder, Mr Algul, has failed to comply with the conditions stated above. It is noted that, Mr Algul has not taken any steps to contact Brent Council's Nuisance Control Team to seek approval for the appointment of a registered acoustic technician, nor has he submitted a noise survey or provided a sound insulation plan.

Additionally, Ketan Joshi noted that noise complaints about the premises have continued, and during periodic NCT patrols, noise from the premises has remained audible from outside. This further indicates that the premises have failed to comply with the conditions outlined in the decision notice. [Annex A – Confirmation from Brent Council's NCT 05.12.2024]

Furthermore, Mr Algul stated to the Licensing Authority that he had appealed the Licensing Sub-Committee's decision. However, despite being asked on three separate occasions to provide proof of the appeal, Mr Algul failed to respond to any of these requests. [Annex B1 – Appeal Warning Letter 24.06.2024, Annex B2 – Appeal Warning Letter 24.06.2024]

As no proof was provided either by Mr Algul or Willesden Magistrates' Court to confirm that an appeal had been formally lodged, The Licensing Authority reasonably presumes that the three-months suspension took effect on 4 June 2024 and ended on 4 September 2024.

Within the review application, PC Brendon Mcinnes highlights that the premises not only remained open and carried out unauthorised licensable activities during this suspension period, but also operated beyond the terminal hour of 23:00 for permitted licensable activities on numerous occasions.

## Summary

The Licensing Authority fully supports the Metropolitan Police Service's stance of revocation within the review application. Mr Algul has held the premises licence for less than two years, and this is the second review hearing within seven months regarding his premises licence.

It is important to note that this is not a re-run of the Licensing Sub-Committee review held on 8 May 2024. The evidence presented in the Police's review application, and this supporting representation, highlights repeated licensing offences and continued non-compliance following the previous hearing.

There is a reasonable expectation that any licence holder that has been subject to a review hearing would take immediate and decisive steps to fully comply with the terms of their premises licence, such as adhering to all conditions & permitted hours, while going over and above to promote the four licensing objectives.

However, the premises licence holder has instead ignored the Sub-Committee's decision notice following the hearing by:

- Conducting unauthorised licensable activities during the three-month suspension period.
- Failing to provide any evidence of an appeal notice, despite numerous written requests.
- Failing to comply with the additional Annex Three conditions imposed by the Licensing Sub-Committee.
- Repeatedly undertaking unauthorised licensable activities beyond the permitted/terminal hours stipulated on the premises licence, despite multiple visits by the Police and an interview under caution.

The premises licence holder has had ample opportunity to address these issues, rectify the concerns raised by the Police and the Licensing Authority, and demonstrate responsible management. However, given the persistent non-compliance, multiple licensing offences, and lack of meaningful engagement with responsible authorities have entirely eroded any confidence in his ability or willingness to promote the licensing objectives or adhere to the terms of his premises licence.

Section 182 Guidance (Paragraph 11.23) advises licensing authorities to take decisive action, including revocation, when premises are found to be trading irresponsibly and where other measures have proven insufficient.

Given the licence holders' failure to comply with the three-month suspension and additional imposed conditions, the repeated offences outlined within the review application, and his disinterest in engaging with the responsible authorities - the Licensing Authority is of the viewpoint that alternative measures, such as the removal of the DPS, curtailment of licensable hours, or even a further suspension, would be counterintuitive. The Licensing Authority therefore firmly believes that revocation is the only proportionate and effective course of action.

Yours sincerely,



Edwin Maldoom  
Licensing Enforcement Officer