

The Lounge Review – 24th July 2014

The brief facts of this case are that on 2nd March 2014 a new premises licence application was received from The Lounge, Unimix House, Abbey Road, NW10 7TR. The application was for a cafe/restaurant and was supported by a professionally produced architects plan, the licensable activities applied for were the sale of alcohol, regulated entertainment and late night refreshment. This application was dealt with by me and resulted in meeting the applicant at the Civic Centre and doing two site visits, at no stage was there anything to indicate this premise was to be anything other than a cafe/restaurant and the conditions were agreed with his solicitor on that basis.

On the night of 28th June 2014 and prior to be furnished as a cafe, this premise was used for a foam party. This was without the knowledge of the relevant authorities and was not a use agreed as part of the application process. It was not even known at that time that the premises had opened.

Whilst this function was taking place a shooting took place where between two and four rounds were fired resulting in the injury to one person, there was also a subsequent serious assault resulting in a broken jaw. Both of these injuries required hospital treatment and are still being investigated. It is also alleged that a noxious substance similar to tear gas was discharged within the building.

There is photographic evidence that the Condition 24 relating to capacity had been breached as well as Condition 7 in relation to plastic glasses. In addition by not informing the authorities of the function Condition 22 had also been breached.

On Monday 30th June 2104 I spoke to the premises licence holder Mr Mark Smart who stated that he was so shocked by the incident that he had already torn up the licence and would formally surrender it on the correct form to London Borough of Brent. He confirmed that by a text message to me stating "Dear nick, this is confirm that I am surrendering the licence for the lounge park royal, I will confirm this by email thanks mark". An appointment was made for him to attend the Civic Centre on Wednesday 2nd July 2014 at 1200 but he never attended. I subsequently received a text message stating he had been in an accident and was in a Birmingham hospital, this was not linked to the weekend's events. I can neither confirm nor deny that but can say that both text messages came from the phone number I have registered for him.

On 3rd July 2014 an expedited review hearing was held and the licence was suspended.

On the 9th July 2014 I texted Mark Smart informing him of the suspension and that the premise could not be used for licensable activities pending the full hearing on 24th July 2014. Mr Smart responded to that text by phone and we discussed the meaning of the suspension.

On the 14th July 2014 contacted me by phone again to discuss what I would be requesting at the full review hearing and I informed him I would be asking for a full revocation.

I have liaised throughout this time with the Trident shootings team and details of the investigation and statements made to them are in the additional bundle.

In addition I have made contact with the freeholders of the building and I have received an email stating that the tenancy has now been terminated.

In view of the information above it is my belief that unless action is taken this premise could be used for a similar sort of event and further crime and disorder could take place. I am therefore asking the committee to revoke the premises licence.

Nick Mortimer

Licensing Manager

Brent Police Licensing

18th July 2014