

**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** Chief Inspector Mark McLellan

(Insert name of applicant)

**apply for the review of a premises licence under section 51 under of the Licensing Act 2003 for the premises described in Part 1 below** (delete as applicable)

**Part 1 – Premises or club premises details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Social Chill 95A Week Street Maidstone Kent	
<b>Post town</b> Maidstone	<b>Post code (if known)</b> ME14 1QX

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Bulent TURGUT
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<b>Number of premises licence or club premises certificate (if known)</b> 22/02590/LAPMV
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**Part 2 – Applicant details**

I am

**Please tick yes**

- 1) an interested part (please complete (A) or (B) below)
- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises
- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete ( C ) below)

**OFFICIAL (when complete)**

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**3 a member of the club to which this application relates (please complete (A) below)**

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in a 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**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)

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**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Kent Police Maidstone Police Station Palace Avenue Maidstone Kent Police ME15 6NF
Telephone number (if any) [REDACTED]
E-mail address (optional) [REDACTED]

**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 1)

Kent Police are requesting a review of this premises licence under the licensing objectives of prevention of crime and disorder, public safety and prevention of children from harm at SOCIAL CHILL BAR, 95A WEEK STREET, MAIDSTONE, KENT, ME14 1QX. Mr Bulent TURGUT is the designated premises supervisor and premises licence holder. The premises trades as a night time venue. There is a premises licence which permits the sale of alcohol between 10:00 to 04:00 everyday.

There have been a number of incidents of concern that have occurred at the venue that are outlined below. These indicate both failures in upholding licensing objectives and a failure to learn from previous incidents.

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**Please provide as much information as possible to support the application**

(please read guidance note 2)

On Friday 11<sup>th</sup> June 2021 at 02:43hrs a member of public called Kent Police reporting 10 people fighting. They stated there was a problem with patrons and security and during the fight there was lots of blood everywhere. They believed the security guard had been injured, along with one of the patrons involved who had deep lacerations to their stomach and back of the head. Police attended and detained 2 patrons and members of door staff. It was mentioned that a baton was used and needed to be recovered.

This is subject to an ongoing assault/affray investigation and a number of persons have been arrested.

On Saturday 12<sup>th</sup> June 2021, PC 11187 WILLIAMS viewed CCTV footage supplied by the premises in relation to the incident on the 11<sup>th</sup> June. The initial attack on the door staff by the patron was unprovoked. The door staff have engaged with the patron which led to the altercation escalating and another member of the public was punched who appeared to be trying to break the fight up. A member of door staff armed themselves with a metal baton which was obtained from inside the venue. There was no reason for the prohibited weapon to be on a licensed premises and has clearly put patrons at risk.

It was clear from the footage the staff had lost control and to gain control they resorted to the use of a metal baton. Once the patron had been subdued further hits were made which caused serious injury and had the potential to be much worse. The unarmed member of door staff was seen to kick the member of public in the back even though he was subdued on the floor. Whilst the patron was being struck the other member of public involved tried to intervene in the assault but was also struck numerous times by punches and baton strikes by the door staff. Other patrons got involved to prevent further attacks.

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PC WILLIAMS received contact from Mr TURGUT who was made aware of the incident by staff whilst he was on vacation and that police wanted CCTV. He assured PC WILLIAMS he would implement measures and would cooperate throughout the police investigation. Mr TURGUT suggested a new door team would be employed conducting further checks. He has also mentioned the use of body worn cameras and potentially introducing ID scanner if required. He said he wanted to remain dedicated and to cooperate with police.

**(Appendix 1 - CCTV)**

On Wednesday 23<sup>rd</sup> June 2021 around 01:18hrs a disturbance took place at the venue whereby door staff had to restrain a patron and were concerned other customers may get involved and the situation would escalate. Police attended and the patron was removed from the location. Around 03:23hrs a member of public contacted Police alleging they had been assaulted by door staff. The member of public stated that the door staff were not staying as they were going home.

PC WILLIAMS contacted Mr TURGUT in relation to the incident reported to Police on 23/06/21. PC WILLIAMS informed Mr TURGUT that he had reviewed attending Police Officers body worn footage which showed the patron being restrained on the floor. The footage showed that once the patron was stood up, he was very drunk and swaying. PC WILLIAMS reminded Mr TURGUT of his responsibility as a designated premises supervisor and his staff when serving patrons. PC WILLIAMS reminded Mr TURGUT that the premises licence was being looked at with consideration for a possible review and that it was an offence under Section 141 to sell alcohol to a drunk person.

On Thursday 22<sup>nd</sup> July 2021 PC 11187 WILLIAMS sent Mr TURGUT an email proposing new conditions that he suggested should be added to the premises licence by way of minor variation. The suggestion of a minor variation had been discussed as it was felt that the addition of conditions was appropriate to address the failings at the venue.

On Tuesday 27<sup>th</sup> July 2021 Mr TURGUT instructed a solicitor in relation to the proposed conditions for the minor variation. PC WILLIAMS and the solicitor commenced ongoing correspondence until 31/08/21 where all parties agreed conditions **(Appendix 2 – Proposed conditions)**.

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Kent Police received notification of the minor variation on 09/09/21 and an updated premises licence was subsequently issued.

On Thursday 16<sup>th</sup> September 2021 around 01:30hrs Maidstone CCTV control room reported the venue required Police assistance. It was reported that 3 patrons were making threats and were in possession of glassware. Door staff were concerned that the situation may escalate. Police attended at 01:39hrs and recorded details as the situation had calmed down upon their arrival.

On Thursday 14<sup>th</sup> October 2021 around 21:36hrs Police were called as 2 patrons were in the venue smashing glasses and refused to leave. The patrons threatened to bring people to the venue to smash it up. Police attended and recorded details for public order offences. Patrons had left prior to Police attending and no arrests were made.

On Tuesday 11<sup>th</sup> January 2022 PC WILLIAMS sent an email to Mr TURGUT requesting CCTV footage. This was in relation to underage drinking with persons allowed access without proper checks on 07/01/2022.

On Thursday 13<sup>th</sup> January 2022 PC WILLIAMS attended the venue and collected CCTV in relation to allegation of underage drinking on 07/01/2022.

On Friday 14<sup>th</sup> January 2022, PCSO PAY reviewed CCTV for 07/01/2022. PCSO PAY confirmed identities of the underage females that had entered the venue unchallenged and were clearly served at the bar. PCSO PAY recognised the females due to her working with these females whilst with youth services on Friday and Saturday late afternoon/early evenings.

PC WILLIAMS sent an email to Mr TURGUT reminding him of a premises licence condition in relation to challenge '25' and persons under 18. A breach of premises licence warning letter dated 11/02/22 was sent **(Appendix 3 – Warning letter)**

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On Thursday 20<sup>th</sup> January 2022 around 02:59hrs a patron was in the venue with friends. The patron has alleged they were assaulted by door staff and targeted due to their sexual identity.

On Monday 24<sup>th</sup> January 2022 around 00:15hrs Kent Police received 3 reports of persons fighting. The incidents reported various members of the public fighting with security and mention of weapons seen one being described as a knife. There was mention of a male being strangled on the floor with 4/5 other males on top.

At 00:28hrs Police attended the location and obtained details. The patrons involved claimed that the member of door staff was in possession of a knife and that the venue had taken the knife away. The patrons involved in the incident were arrested. This incident is subject of an ongoing investigation. **(Appendix 4 – CCTV)**

On Sunday 30<sup>th</sup> January 2022, PC WILLIAMS sent an email to Mr TURGUT requesting CCTV for the assault that was alleged on 20/01/22. The request was from PC BIGNAL investigating an assault by door staff.

Mr TURGUT informed PC WILLIAMS that the patron had gone into the female toilet and was removed by door staff as they were male.

On Friday 11<sup>th</sup> February 2022 PC WILLIAMS attended the venue to review CCTV that had been downloaded onto a USB of the incident on 20/01/22. The footage on the USB only showed one camera angle. Mr TURGUT was not at the venue and no member of staff was able to access CCTV. PC WILLIAMS sent an email to Mr TURGUT requesting further camera angles.

On Thursday 17<sup>th</sup> February 2022, PC WILLIAMS sent an email to Mr TURGUT requesting update on the CCTV for the incident on 20/01/22. Mr TURGUT informed PC WILLIAMS that the technician had been out to increase the quality of images and as a consequence had reduced the storage capacity of the hard drive, the footage requested had been lost.

PC WILLIAMS sent an email to Mr TURGUT reminding him of premises licence condition in relation to CCTV. A breach of premises licence warning letter dated 25/02/22 was sent **(Appendix 5 – Warning letter)**

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On Sunday 10<sup>th</sup> April 2022 around 02:00hrs a patron was in the venue with friends. The patron was on the dance floor when he was punched in the face by another patron. The patron received significant facial injuries which resulted in plastic surgery to their lip.

On Wednesday 6<sup>th</sup> May 2022 around 02:25hrs Maidstone CCTV control contacted Police as door staff had a person detained on the floor. Police attended and the patron had been restrained due to an allegation of assaulting door staff and a female customer within the venue. The patron had facial injuries from being restrained and officers remained obtaining details. Whilst officers were dealing with this patron, other patrons from the venue began to leave around 04:00hrs with their drinks in hand. Due to them being heavily intoxicated they began to interfere with the Police which lead to patrons fighting. Further officers attended the location to assist. A female patron who was heavily intoxicated began kicking the Police vehicle numerous times, whilst officers were dealing with other patrons. The female was challenged by officers whereby she began to assault them leading to her being arrested. **(Appendix 6 - CCTV)**

PC WILLIAMS contacted Mr TURGUT in relation to the disorder. Arrangements were made for a meeting on Monday 9<sup>th</sup> May. PC WILLIAMS requested CCTV and that Mr TURGUT implement preventative measures to uphold the licensing objectives.

On Monday 9<sup>th</sup> May 2022, PC WILLIAMS attended the venue for a meeting with Mr TURGUT to discuss the incident on 06/05/22. Mr TURGUT was made aware that a licensing investigation was being conducted and that measures be implemented to prevent further incidents. PC WILLIAMS requested Mr TURGUT download a month's worth of CCTV and produce booking confirmations as required by the following condition on the premises licence.

- **There will be no admittance or re-admittance to the premises after 02:00 hours, customers leaving to smoke must remain within the designated smoking area at all times or re-admittance will be refused. The only exceptions to this condition will be for patrons who have pre-booked their admission to the premises before 23:00hrs or night workers registered on the Social Chill late workers register. Confirmation of booking will be recorded on a digital platform, date, time and shown on**

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**request to the licensing authority. The Register of late workers will be shown to the licensing authority upon request.**

Between Tuesday 10<sup>th</sup> May 2022 and Thursday 19<sup>th</sup> May 2022, PC WILLIAMS exchanged emails with Mr TURGUT in relation to CCTV request and booking requests. Mr TURGUT informed PC WILLIAMS that it would be sent and that he was instructing a legal team. A legal team was appointed and informed PC WILLIAMS that there had been technical issues with CCTV and they were unable to provide as per the request.

On Tuesday 24<sup>th</sup> May 2022 PC WILLIAMS attended a meeting with Mr TURGUT and his legal team. PC WILLIAMS raised concerns about perceived failings of the management of the venue which had breached the premises licence on a number of occasions. Mr TURGUT was asked to produce prebooking's as per the condition of the premises licence. Mr TURGUT was unable to produce these as he had not kept any records. During the meeting PC WILLIAMS suggested that the venue reduce hours as the disorder occurs after 00:00hrs.

PC WILLIAMS and the legal team continued correspondence in relation to concerns. Mr TURGUT was not willing to reduce the trading hours of the premises and the legal team were instructed to make alterations to the existing premises licence by way of a minor variation. Mr TURGUT has since contacted PC WILLIAMS asking for more chances to prove himself capable of managing the venue in line with the premises licence. PC WILLIAMS explained to Mr TURGUT that the venue had on multiple occasions failed to uphold and promote the licensing objectives and there had been a number of times that the premises licence had been breached. It was explained to Mr TURGUT that Kent Police believed all avenues had been explored including variations to the licence to combat members of the public causing issues in the early hours of the morning including the introduction of a booking system. Since that condition was introduced, Mr TURGUT had failed to maintain any records and was unable to supply any CCTV when requested.

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PC WILLIAMS has reviewed Maidstone Borough Councils CCTV in relation to a compliance check in relation to condition of entry after 02:00hrs.

The CCTV has been reviewed for the following dates 06/08/22 and 07/08/2022. As a result of reviewing the CCTV it is clear that members of the public are still being admitted into the venue after 02:00hrs. PC WILLIAMS has concerns that there are patrons who appear very intoxicated entering/leaving the venue who are unsteady on their feet. Patrons are seen to leave the venue in possession of glassware which could be used as a potential weapon. **(Appendix 7 - CCTV)**

On Tuesday 9<sup>th</sup> August 2022, PC WILLIAMS sent an email to Mr TURGUT requesting CCTV and bookings (29/07 into 30/07 02:00 to 04:00, 30/07 into 31/07 02:00 to 04:00, 05/08 into 06/08 02:00 to 04:00, 06/08 into 07/08 02:00 to 04:00 **(Appendix 8 -CCTV)**.

On Thursday 18<sup>th</sup> August 2022, PC WILLIAMS sent an email to MR TURGUT asking for an update in relation to the CCTV compliance check.

Mr TURGUT responded to PC WILLIAMS on the 19/08/22 confirming it was ready for collection. PC WILLIAMS responded to MR TURGUT if he had the documentation in relation to the late night register and bookings. Mr TURGUT responded that they had no bookings and therefore had nothing to send.

MR TURGUT informed PC WILLIAMS that the late night register was available at the bar.

On Monday 22<sup>nd</sup> August 2022, PC WILLIAMS reviewed CCTV (Appendix 8) that was downloaded by Mr TURGUT. The footage showed several patrons enter the venue after 02:00hrs. PC WILLIAMS sent an email to Mr TURGUT requesting a meeting to discuss the findings on the CCTV and to check the bookings.

On Friday 26<sup>th</sup> August 2022, PC WILLIAMS received correspondence from Mr TURGUT's legal team. The legal team were instructed to attend the meeting.

PC WILLIAMS and the solicitor commenced ongoing correspondence (13/09/22) and confirmed they would not be needed to attend the meeting with Mr TURGUT.

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On Tuesday 13<sup>th</sup> September 2022, PC WILLIAMS corresponded with Mr TURGUT requesting availability for the compliance check and that all documentation for bookings are available.

On Tuesday 27<sup>th</sup> September 2022, PC WILLIAMS attended a compliance check with Mr TURGUT and his head of security.

PC WILLIAMS requested to see documentation relating to the booking system and late night register. PC WILLIAMS was handed the late night workers register which was in a hardback book. PC WILLIAMS examined the book in relation to the compliance dates requested (30/07/22, 31/07/22, 06/08/22, and 07/08/22). The book contained various dates of 2022. However, the book was missing 31/07/22, 06/08/22 and 07/08/22. Mr TURGUT was unable to locate the missing pages containing the dates requested. PC WILLIAMS advised Mr TURGUT that the register should be on a digital platform (**Condition 22 \*\*\*pre-booked their admission to the premises before 23:00hrs or night workers registered on the Social Chill late workers register. Confirmation of booking will be recorded on a digital platform, date, time and shown on request to the licensing authority**).

Mr TURGUT believed that the late night register was not required to be on a digital platform. Mr TURGUT then showed PC WILLIAMS that they had created a digital platform for bookings and late night register that utilises QR codes.

PC WILLIAMS showed Mr TURGUT CCTV (APPENDIX 8) in relation to patrons entering after 02:00hrs. Mr TURGUT informed PC WILLIAMS that they were late night workers from various venues. PC WILLIAMS informed Mr TURGUT that those persons that had entered were not shown booked entering the premises on the paperwork provided. There were no other records available in relation to compliance date checks provided to corroborate patrons being registered or prebooked. PC WILLIAMS took photos of the only date available for the compliance check (**Appendix 9 - Photos**).

Kent Police have worked in conjunction with the venue to assist them with the control of their premises, this has involved bringing concerns to their attention, providing advice on measures that if implemented would, if not prevent, certainly reduce the impact of incidents happening. The number of times that the licensing objectives have not been promoted and the conditions on the premises licence have not been complied with demonstrates that Mr

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TURGUT is showing scant regard for the Licensing Act 2003 and the requirement placed upon them to run a safe, nuisance free venue. This premises is regularly contributing to the issues within the town as demonstrated within this document and requiring police presence in order to control it, the effect this has across the wider community can be significant and will be detrimental to sustaining the economic viability and regeneration and growth of the town.

It has been shown that the premises have staff who are either insufficient in number, not adequately trained or not confident enough to challenge patrons behaviour at an early enough stage to prevent their escalation or to deal with the ensuing incidents that then occur.

The recurring failures and delays with the provision of CCTV footage also hinders police investigations into the incidents which do occur.

It is understood that venues within the night-time economy will have incidents due to the length of time that people may be exposed to the effects of alcohol, but it is how such incidents are dealt with that reduces the risk to public safety and minimises the nuisance associated with these types of establishments. It is felt that if this premises is left unchecked then the reputation of the venue will lead to a continued increase in incidents and as previous advice has been given little regard, Kent Police now feels that there is no other option than to request a review of the premises licence before the Licensing Committee.

Kent Police requests that a review of the hours permitted under this premise licence be conducted and consideration be given to a reduction of the terminal hour from Monday to Sunday and believe that a terminal hour of 00:00hrs would be more appropriate. However, should the committee feel that this is too detrimental to the business it is believed that the sale of alcohol should not be permitted past 01:00hrs and regulated entertainment would need to cease at 02:00hrs at latest.

We would also suggest that a period of suspension be considered by the committee to allow training of staff and implementation of the measures to comply with the premises licence prior to re-opening, this would also allow a period of time for the venue to reset.

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Upon re-opening, or continuing to trade if suspension is not felt to be appropriate, we believe it is necessary to attach conditions to the premises licence to assist the management with maintaining control of venue and being able to promote the licensing objectives at all times that they are open to the public. It is suggested that the current existing conditions remain in Annexe 3 with exception of condition 24.

24. There will be no admittance or re-admittance to the premises after 23:00 hours, customers leaving to smoke must remain within the designated smoking area at all times or re-admittance will be refused. (This condition may need to be adjusted penddame on permitted hours agreed upon on this review).

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**Please tick yes**

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

If yes please state the date of that application

Day		Month		Year			
<input type="text"/>							

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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, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant’s solicitor or other duly authorised agent**  
(See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature James Williams

Date 09/10/2022

Capacity

Kent Police Licensing Officer

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 5)	
<b>Post town</b>	<b>Post code</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you using an e mail address your e mail address (optional)</b>	

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.