

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 [REDACTED]
(Insert name of applicant)

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

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description The Charcoal Grill 15 Park Street	
Post town Guildford	Post code (if known) GU1 4XB

Name of premises licence holder or club holding club premises certificate (if known) Mr Mutlu Temur [REDACTED]

Number of premises licence or club premises certificate (if known) GUPLA0574
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Part 2 - Applicant details

I am

Please tick yes

- 1) an interested party (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)

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

I am 18 years old or over

Please tick yes

**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)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address [REDACTED]
[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)

Surrey Police, as a Responsible Authority under section 13 (4) (b) of the Licensing Act 2003, request a Review of the Premise Licence of the Charcoal Grill, 15 Park Street, Guildford on the grounds of Prevention of Crime and Disorder and Public Safety.

The premises has a long history of serious assaults including a manslaughter that occurred on the 12th of October 2019. The list of incidents reported to the Police over the last 8 months include the following

28/07/2023 0136hrs 45230083941 Reports of a fight inside the premises. Police attended and one male suspect was arrested.

08/07/2023 0350hrs 45230075774 Stabbing on two male victims outside the premises.

14/05/2023 1213hrs 45230052714 reports of a fight outside the premises the victim sustained ABH level injuries.

06/02/2023 0037hrs 45230013893 reports of fight on Police arrival one male was arrested.

01/01/2023 0127hrs P23000079-reports of an aggressive male and rowdy behaviour.

On Saturday the 8th of July 2023, at 0350hrs a Police patrol came across two male victims who had been stabbed outside the premises. Investigations revealed that the two intoxicated males attended the premises at about 0340hrs and asked the Designated Premises Supervisor for a kebab. The DPS has then sold the two males food who have then left the premises. The sale being a breach of the late night premise Licence. On leaving the premises the two males have then stumbled against a car which was parked directly outside the premises. The occupant in the car got out of the car and a physical altercation resulted between the two parties.

During the altercation the suspect who was carrying a knife proceeded to stab both victims causing serious injuries to both. This physical altercation was captured on phone footage (see attached) from a witness and friend of the two victims.

The current premises licence (attached) has stringent conditions that reflect the concerns of the Police and licensing enforcement partners about the potential for serious assaults and public order.

The late night premises licence states that "No new customers shall be admitted to the premises after 0300hrs Monday through to Saturday and all customers shall leave by 0315hrs". Following this serious incident Police have met with the DPS on two occasions in an attempt to establish the facts and to work together in order to reduce the likelihood of such an incident from occurring again.

Following the first meetings Police requested a reduction in the late night licence until 0200hrs. The DPS was given a week to consider this request. A follow up meeting took place a week later. During this meeting the DPS refused to reduce his late night licence citing financial reasons. Adding that the period between 0200hrs and 0300hrs was the busiest period.

The DPS did however present three conditions which he described as new and would prevent future serious incidents.

The new conditions presented were

1. The DPS would look to obtain a town link radio and ensure both he and his staff were trained in its use.
2. The DPS would ensure that the SIA guards remain on site until all staff have left the premises.
3. The DPS to install suitable blinds to be drawn once the premises has stopped serving food and closed.

Police pointed out that these three conditions were already in existence as part of the current Premise Licence. The DPS stated that he did not use the town link radio as he had not learnt how to use it. He stated that on the night of the incident he had sent his SIA guards home at 0300hrs. He stated that in future he would keep them on until all staff members had left the premises. As regards the installation of blinds he stated that he would make arrangements to get them fitted.

The presentation of the "new conditions" raised significant concerns for the Police of the suitability of the DPS and his ability to promote the Licensing objectives and to comply with his current conditions. It was pointed out to the DPS that these conditions were already in place and he was responsible for ensuring that they were complied with. The fact that he was offering these as new conditions implied that he was not aware of the current conditions of his licence and therefore not following them.

It is understood that the current DPS has been in this responsible position since 2018. Police recognise that customers frequent the premises after a night out in one of the many nighttime licensed premises before heading off home. The customers that attend are often intoxicated and Police often receive reports fights and social behaviour taking place within or immediately outside the premises. Police have also received reports of trading after hours as occurred on the 25th of March 2018.

On Thursday the 31st of August 2023 the Police Licensing Office (PLO) Iain Scott conducted a licensing check at the premises between 2105hrs and 2120hrs. On the arrival of PLO Scott one member of staff Mr Erkan Talit was stood behind the counter sorting out the kebab meat and vegetables. He was the only member of staff in the shop. PLO Scott introduced himself to Mr Talit producing his Police staff identification card and informed him that he wished to conduct a Licensing check. Mr Talit commented that he recognised PLO Scott from a previous visit and he knew his role. Mr Talit explained that the DPS was in Turkey until the 15th of September and

there was no one else on the premises. PLO Scott asked Mr Talit if he could show him the CCTV system and demonstrate his ability to operate it. PLO Scott also asked him if he could show him the records of all staff training. Mr Talit informed PLO Scott that he did not work there. He clarified that there were no other persons on the premises and he was simply managing the premises until another member of staff returned. About 5 minutes later another male entered the front entrance and introduced himself as Serkan Temur the brother of the DPS. PLO Scott produced his identification to Mr Temur and informed him that he wished to conduct a Licensing check. Mr Temur was asked him if he could show him the CCTV system and demonstrate to his ability to operate it. PLO Scott asked him if could produce the staff training records. Mr Temur informed PLO Scott that he did not actually work there. After a series of questions from he conceded that he was covering for his brother who was on holiday in Turkey. PLO Scott then asked them both if they had a town link radio. Mr Temur produced the radio after a period of searching. The radio was off but he managed to turn it on. PLO Scott asked both if they knew how to operate it and they both said that they did not. Both males were asked if they were aware of Challenge 25 policy. Both looked puzzled and informed PLO Scott that they were not aware of it. PLO Scott then left the premises.

This exchange raised further concerns to Police and highlighted further breaches of the premises licence conditions including

3. There must always be a member of staff on the premises able to operate the CCTV system when the premises are open.
5. The licensee shall obtain a town link radio and staff shall be trained in its use.
15. All staff whether paid or unpaid will receive training regarding their responsibilities under the Licensing Act 2003 prior to being authorised to sell or carry out deliveries of alcohol. This training will include details of the premises age verification policy (challenge 25), how to check identification and how to refuse sales.
16. Records of a staff training will be maintained. The records will be accessible on the premises and produced for inspection by an authorised officer from a Responsible Authority upon request.

Surrey Police believe that the current DPS and his staff are not promoting the licensing objectives. Following this serious incident on the 8th of July 2023 and the subsequent Licensing check on the 31st of August Surrey Police are not satisfied with the response of the DPS and as a consequence seek the removal of the Premises Licence Holder, DPS and a revocation of the Premise Licence.

Please provide as much information as possible to support the application
(please read guidance note 2)

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

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If you have made representations before relating to this premises please state what they were and when you made them

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

[Redacted Signature]

Date 14 January 2022

Capacity

[Redacted Capacity]

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

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.