

Appendix A

Mehmet SANCI
Best BBQ
24 Victoria Road
Swindon
SN1 3AW

Swindon Police Station
Gablecross
Shrivenham Road
South Marston
Swindon
Wiltshire SN3 4RB
Telephone: 01380
861360

Date 26/11/16

Your ref

Our ref 24 Victoria Road Variation

Reply contact name is: PC 1630 DIFFIN MBE – Licensing Officer

Dear Mr Sanci,

Application for a variation to Premises Licence Best BBQ 24 Victoria Road
Swindon SN1 3AW

Thank you for the above application received at this office on the 25th November 2016.

We are happy for the conditions listed in the application to be removed but due to a previous incident where you were found to be selling alcohol without a licence to prevent crime and disorder the following condition should be applied to the licence.

1. No alcohol is to be kept on the premises at any time.

Subject to the above condition being attached to the premises licence I can confirm that Wiltshire Police have no objection to the variation of the premises licence. Please can you confirm to the Licensing Authority no later than 02/12/2016 whether you are happy to accept the proposed conditions being added to the premises licence, failure to do will result in Police making a formal objection to the application and may result in the application being heard by the Licensing Sub Committee.

A copy of this letter has been sent to Swindon Borough Council licensing department.

Yours sincerely

Michael DIFFIN MBE
Police Constable 1630
Licensing Officer
Swindon Hub

Town Centre Hub, Civic offices, Euclid Street. Swindon. SN1 2JH.
Tel - 01380 861630

E mail - michael.diffin@wiltshire.pnn.police.uk

Application for the review of a premises licence or club
premises certificate under the Licensing Act 2003

WPC
17/12/16

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 PC 1630 Michael DIFFIN MBE on behalf of the CHIEF CONSTABLE OF
WILTSHIRE POLICE

(Insert name of applicant)

apply for the review of a premises licence under section 51 (delete as
applicable)

Part 1 – Premises or club premises details

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

Best Barbeque
24 Victoria Road
Old Town

Post town SWINDON

Post code (if known) SN1 3AW

**Name of premises licence holder or club holding club premises certificate (if
known)**

Mehmet SANCI

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

881160360LAPV

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 PC 1630 Michael DIFFIN MBE POLICE LICENSING OFFICER SWINDON POLICE STATION GABLECROSS, SHRIVENHAM ROAD, SOUTH MARSTON, SWINDON, SN3 4RB
Telephone number (if any) 01380861630
E-mail address (optional) michael.diffin@wiltshire.pnn.police.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

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Please state the ground(s) for review (please read guidance note 1)

This application to review the premises licence for Best Barbeque is based on evidence which shows a breach to the licensing objective of:

Crime and Disorder - Failure to display Part B summary of the premise licence an offence under Section 57(4) Licensing Act 2003.

Crime & Disorder - Failure to comply with conditions on a premise licence. Offences under Section 136(1) Licensing Act 2003.

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

Re: Licence Review – Best Barbeque, 24 Victoria Road, Swindon.

Best Barbeque is a Licensed Premises and operates under a premises licence (PL No: 881160360LAPV) issued by Swindon Borough Council (SBC) on 1 June 2016. The premises licence holder is Mehmet SANCI. The licence was issued in accordance with the Licensing Act 2003 to allow the sale by retail of alcohol Monday to Sunday 15:00 - Midnight and Late Night Refreshment Monday to Wednesday 23:00 - 01:00 and Thursday to Sunday 23:00 - 03:00. The premises has no restriction on opening hours for non licensable activities.

The Designated Premises Supervisor (DPS) at the time was Sinan Korkmaz

At about 2130hrs on 11th November 2016 Officers attended the premises to conduct a routine licensing check, the DPS was not present and officer spoke with SANCI the Premises Licence holder.

At the time of the visit Part B Summary of the premises licence was not on display and SANCI was unaware that he should be displaying it.

Also at the time the following conditions on the licence were being breached

Condition 8 on the premises licence states

A "Challenge 25" policy shall be operated, No member of staff shall be permitted to sell alcohol until trained in the operation of the "Challenge 25" policy. Any person who appears to be under the age of 25 who attempts to buy alcohol shall be challenged to provide age verification in the form of a passport, photo driving licence, or a PASS accredited card. Where proper verification is not provided the sale shall be refused. A record of the refusal shall be kept in a refusals book, identifying the member of staff who refused the sale.

Condition 10 on the premises licence states

No staff shall be permitted to sell alcohol until they have completed training in relation to "Challenge 25" and the sale of alcohol to drunks this training shall be documented and kept on the premises and shall be documented and kept on the premises and shall be shown to a Police Constable or any authorised officer on request or at any reasonable time. Refresher training is to be conducted every 6 months and this is to be documented and available for inspection by a Police Constable or any Authorised Officer on request or at any reasonable time.

Condition 9 on the premises licence states

An incident book shall be kept on the premises to record the details of any instances of disorder or details of any persons who are detained on the premises or escorted from the premises. This shall be a bound book with sequentially numbered pages. The time the date and brief details of the incidents shall be recorded in the incident book and the names of the members of staff who dealt with the matter shall be recorded against each incident. The book shall be kept on the premises and shall be shown to any Authorised Officer on request at any reasonable time, and take copies if so needed.

At 2200hrs the DPS was spoken to and he stated that he was friends with SANCI

and had allowed himself to be the DPS to do SANCI a favor until he had his own personal licence, he stated that he had never attended the premise in the capacity of DPS and had no involvement in the day to day running of the location nor had any knowledge of what was on the premises licence and as such had not authorised any sales of alcohol at the location. He stated that he had provided no training as required on the premises licence to any staff. He stated that with immediate effect he was withdrawing his consent as DPS at the location. This was later confirmed by e mail on 17/11/2016. This shows that since the issue of the premises licence all sales of alcohol at the premises have been unlawful.

As a result of the above at 0100hrs on 12/11/16 a Closure Notice under Section 19 of the Criminal Justice and Police Act 2001 was served on SANCI re the fact that there was no DPS, no authorities in place for the sale of alcohol and the breaching of three of the conditions on the licence.

It became clear at the time of the visit that SANCI had no knowledge of his obligations with regards to the premises licence under the Licensing Act and had very little regard for the fact that he was breaching the conditions on his premise licence. It was also clear that he was aware that KORKMAZ had no intention of acting in any capacity as the DPS at the premises at the time of the application and he was placed on the licence to allow them to sell alcohol when SANCI did not have a personal licence.

Wiltshire Police are asking for a revocation of the premises licence for the sale of alcohol as we do not believe that SANCI is a responsible person by his actions to date, we do not believe that the premises can improve under his control due to his dismissive and aggressive attitude towards Police and other enforcement officers this is evidenced below by Annabel HALL Environmental Health Officer, Public Protection Team, Swindon Borough Council who has been working with SANCI over the past 16 months

- 17 September 2015 3:40pm – Mr Sancı was obstructive to the routine food hygiene visit, initially asking me to visit another day, then stating that he had a hospital appointment, first he said that he had to leave at 4pm then said that actually his appointment was at 4pm so had to leave now. I was suspicious of him trying to stop me looking in the kitchen so I said I would have a quick look around at the time and then could come back to complete the inspection. He then quickly disappeared into the kitchen. I followed and went down the stairs and I saw the back of what appeared to be another employee as he was in the same t-shirt as the others working in the kitchen as he quickly went out of the door to the rear of the shop and shut the door. Mr Sancı looked flustered and then he went to get his car keys and said he was now going to leave me and no one else could speak English. I decided to leave the premises to return another day.
- 21 September 2015 – food hygiene inspection carried out, noted Mr Sancı was displaying a 5 star food hygiene rating which I removed at the time of the visit as the premises was scored 4 at the last inspection. Mr Sancı said that if his food hygiene rating was not at least a 4 he would call me daily and contact my manager, I rated the premises a 1 star for food hygiene.
- 2 December 2015 – advisory food hygiene visit carried out, Mr Sancı was reluctant to take on board the actions that he must take and was quite argumentative
- 18 January 2016 – Food hygiene re-score visit carried out at Mr Sancı's request, no improvements made and premises again scored 1 star for food hygiene. Hygiene Improvement Notices served.
- 8 March 2016 – notice compliance visit. Mr Sancı became increasingly agitated throughout the visit and became very aggressive. He maintained close body language was visibly very angry and held intense eye contact, his dad was at the premises and appeared to be telling him to calm down. Mr Sancı asked us to leave

the premises.

- 16 March 2016 – joint visit with Trading Standards, Licensing and Police. Mr Sanci was found to be selling alcohol without a licence and was reminded that his aggressive behaviour towards Council staff was unacceptable.
- 3 May 2016 – food hygiene visit, still food hygiene issues found. Mr Sanci still difficult to communicate with, doesn't listen during discussions but was not aggressive during this visit.
- 28 June 2016 – interview under caution carried out.
- 1 November 2016 – revisit to premises. Mr Sanci was much more quiet and less communicative compared to previous inspections although did comment on personal things that he had seen from searching me and my colleague on Facebook.

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

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

MA AC1650

Date 18th November 2016

Capacity Police Licensing Officer

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.

INDEX

1. Premises Licence Best Barbeque
2. Statement PC DIFFIN dated 12/11/16 – Provides evidence of attending the location, and offences being committed at location.
3. Section 19 Notice served on SANCI
4. E Mail from KORKMAZ (DPS) removing him from premises as DPS
5. E Mail from Annabel HALL SBC evidence of dealings with SANCI

RESTRICTED (when complete)**WITNESS STATEMENT**

(CJ Act 1967, s9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

The MG11 back sheet must be completed and submitted with this statement


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Statement of: Michael Sean Gilmour DIFFINAge if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable 1630

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 anything in it, which I know to be false, or do not believe to be true.

Signature:



Date:

12/11/16
☐ X if witness evidence is visually recorded (Supply witness details on rear)

I am the above named person and am employed as the Police Alcohol Licensing Officer for the Swindon Policing Hub.

On Friday 11th November 2016 at about 2130hrs I was on duty in plain clothing conducting licensing checks when I entered BEST BBQ 24 VICTORIA ROAD SWINDON under Section 179 Licensing Act 2003.

This premise is a licensed premise and holds a premise licence to sell alcohol that was issued by Swindon Borough Council Licensing Authority, licence number 881160360LAPV refers. This licensed was issued in accordance with the Licensing Act 2003.

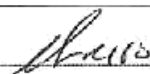
On entering the premises there were two members of staff serving behind the counter and one member of staff sat in the kitchen area in the doorway to the left as you look at the grills, stood on my side of the counter were a male and female the male had an open bottle of EFFES beer on the counter in front of him and a second male stood near the window again with an open bottle of EFFES beer on the counter in front of him, I observed both males drinking from the open beer bottles.

I identified myself to the premises licence holder identified as Mehmet SANCI born 01/10/1986 by advising him as to who I was and showing him my Police Warrant Card. I also advised him that I was conducting a licensing check of the premises and asked if he could produce his premises licence, he stated "IT'S WITH THE COUNCIL" and started laughing, I advised him that this was a serious matter and that I was aware that his licence had been issued earlier in the year. He then stated that maybe it was in the office and that I would have to wait whilst he finished serving.

Whilst stood waiting in the premises I could see that at no point was Part B of the licence anywhere on display within the location. When SANCI came back to me I asked him where the premises licence was displayed and he pointed to the wall behind him that was covered in food hygiene certificates and no premises licence. I advised him that by not displaying the licence nor being able to produce it he was committing a criminal offence.

SANCI then went into the top drawer of a filing cabinet and produced a brown envelope that contained his issued premises licence.

Signature:



Signature witnessed by:

RESTRICTED (when complete)

RESTRICTED (when complete)Continuation statement of Michael Sean Gilmour DIFFIN

I started to run through the licence with him and it was apparent at this point that he had not read the licence nor the covering letter and made it clear that I was wasting his time.

I asked SANCI if he could show me the Challenge 25 Policy and any documented training for all staff that this had been conducted, he just gave me a blank look and said, "DON'T SERVE TO ANYONE WHO LOOKS UNDER EIGHTEEN." He then stated that he didn't need training as only he and his father served alcohol.

Condition 8 on the premises licence states

A "Challenge 25" policy shall be operated, No member of staff shall be permitted to sell alcohol until trained in the operation of the "Challenge 25" policy. Any person who appears to be under the age of 25 who attempts to buy alcohol shall be challenged to provide age verification in the form of a passport, photo driving licence, or a PASS accredited card. Where proper verification is not provided the sale shall be refused. A record of the refusal shall be kept in a refusals book, identifying the member of staff who refused the sale.

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I then asked SANCI if he could produce his refusals and incident book to which he stated he didn't have one nor need one.

Condition 9 on the premises licence states

An incident book shall be kept on the premises to record the details of any instances of disorder or details of any persons who are detained on the premises or escorted from the premises. This shall be a bound book with sequentially numbered pages. The time the date and brief details of the incidents shall be recorded in the incident book and the names of the members of staff who dealt with the matter shall be recorded against each incident. The book shall be kept on the premises and shall be shown to any Authorised Officer on request at any reasonable time, and take copies if so needed.

I then asked him where the Designated Premises Supervisor was who I know to be Sinan KORKMAZ born 25/10/1980 and SANCI stated not here I asked if I could have a contact number for him to which he stated he was out of the country he then provided me with a mobile phone number for him.

I asked SANCI if he had a personal licence to sell alcohol to which he replied, "YES I DO HAVE A DRIVING LICENCE FOR THE CAR."

Signature: 

Signature witnessed by: _____

RESTRICTED (when complete)

RESTRICTED (when complete)

Continuation statement of Michael Sean Gilmour DIFFIN

I again explained what I wanted to which he replied no he was planning to get one but had not sorted it out yet. I advised SANCI that I was not happy that the correct policies and authorities were in place for him to sell alcohol at the premises and that he was not to sell anymore alcohol until I had spoken with the DPS and was satisfied that training was in place. He replied, "NEVER MIND I'LL JUST GIVE IT AWAY THEN."

On return to the Police Station at 2200hrs I contacted and spoke with KORKMAZ and he stated that he had been asked by SANCI if when he made his application his name could go on the licence as DPS and he would sort out his personal licence and change it. KORKMAZ stated that he has nothing to do with the premises and it is all run by SANCI and that he does not attend the premises. He stated that he was not the DPS and was withdrawing his consent as he did not want to get into more trouble, he was advised to notify the licensing authority and SANCI immediately or he would be held responsible for any further offences at the location.

As a result of my conversation I made the decision to task officers to re attend Best BBQ and serve a Closure Notice under Section 19 of the Criminal Justice and Police Act 2001 re the fact that there was no DPS, no authorities in place for the sale of alcohol and the breaching of three of the conditions on the licence.

At 0100hrs on 12th November 2012 PC 2724 STEELE attended Best BBQ and served a Section 19 Closure Notice on SANCI. *MSG*

Signature: _____ Signature witnessed by: _____

RESTRICTED (when complete)



Closure Notice Made under Section 19 of the Criminal Justice and Police Act 2001

Date and Time of the Closure Notice	0100hrs 12/11/16
Person making the Notice	PC 2724 STEELE
Signature	
Name (if applicable) and address of the affected premises	BEST BBQ 24 VICTORIA ROAD SANDWICH SW13AN
Name and Address of any other affected person(s)	N/A
Steps which may be taken to end the alleged unauthorised use of the premises or to prevent it re-occurring	① VALUATION FOR NEW DPS ② COMPLY WITH CONDITIONS 8, 9, 10 ON LICENSE. BY 21/11/16.
The person (if applicable) on whom the closure notice has been served	Managers
Name	Mehmet SANCIL
Signature	



Explanatory Notes

A Police Officer, or an authorised officer from the Local Authority, has decided to issue this closure notice under the terms of Section 19 of the Criminal Justice and Police Act 2001 ("the 2001 Act")

Section 19 of the 2001 Act – Closure Notices

A Police Officer, or an authorised officer from the Local Authority, is satisfied that any premises are being, or within the last 24 hours have been used for the unlicensed sale of alcohol, including being in breach of its licence conditions, he may serve under subsection (3) a notice in respect of the premises.

Section 20 of the 2001 Act – Closure Orders

Your attention is drawn to Section 20 of the 2001 Act. This provides that the police, or as the case may be local authority, can take action against the said premises by applying to a justice of the peace at the local magistrates' court for a closure order if the unlicensed sale of alcohol (as alleged in this closure notice) is continuing, or there is reasonable likelihood that the premises will be so used in the future. The application for a closure order must be so made not less than 7 days, and not more than 6 months, after the date on which this closure notice was served. After an application for a closure notice is made, the justice of the peace may issue a summons requiring the applicant, and the person or persons on whom the closure notice was served, to attend a hearing at the court on a specified date and time. At the hearing the court will consider the applicant's complaint against the said premises and decide whether a closure order should or should not be made.

In accordance with the Magistrates' Courts Act 1980, and under the law of human rights, you are entitled to be legally represented at the hearing and to make representations to the court before any such decision is taken.

Appeals – Section 24 of the 2001 Act

An appeal against a decision by the Magistrates' Court to grant a closure order, or a decision to refuse an application for closure order, or a decision to refuse an application for closure, can be made by an affected person to the Crown Court within 21 days.

Enforcement Powers and offences – Section 25 of the 2001 Act

It is an offence for a person, without reasonable excuse, to permit a premises to be open in contravention of a closure order made by the Magistrates' Court. Any person found guilty of such an offence will be liable to a fine not exceeding £20,000, or to imprisonment for a term not exceeding three months or both.

It is also an offence for a person who, without reasonable excuse, fails to comply with any terms of a closure order made by the court, or does an act which contravenes those other terms. Any person convicted of this offence is liable to a fine not exceeding £5,000 or to imprisonment for a term not exceeding three months or both.

Police Officers and authorised officers from the local authority have the power to enter the said premises at "any reasonable time", and do anything necessary to secure compliance with the closure order (for example, to board up the premises). However, when exercising this power, the constable or the officer must produce evidence of his authority to enter and also his identity before entering the premises, if asked to do so by the owner (or occupier or the person in charge of the premises).

It is an offence for a person to intentionally obstruct police officers or authorised local authority officers from exercising these powers. Any person convicted of obstructing a police officer is liable to a fine not exceeding £5,000, or to one month's imprisonment, or to both. Any person convicted of obstructing an authorised local authority officer is liable to a fine not exceeding £5,000.

Diffin, Michael

From: Annabel Hall <AHall3@swindon.gov.uk>
Sent: 15 November 2016 11:30
To: Diffin, Michael
Subject: RE: Mehmet Sancı - Best BBQ

Hi Michael

I just thought, I probably should have mentioned yesterday that there is currently a legal case under consideration regarding Best BBQ for food hygiene offences.

Regards

Annabel

Annabel Hall
Environmental Health Officer
Public Protection Team

Tel: 01793 466274
Email: AHall3@swindon.gov.uk
Web: www.swindon.gov.uk

5th Floor, Wat Tyler House
Beckhampton Street
Swindon
SN1 2JH

From: Annabel Hall
Sent: 14 November 2016 14:42
To: 'michael.diffin@wiltshire.pnn.police.uk'
Subject: Mehmet Sancı - Best BBQ

Hi Michael

As briefly discussed, we have had ongoing contact with Mr Mehmet Sancı over the last 15 months with regards to food hygiene breaches. I have bullet pointed our visits, please let me know if you need any further information:

- 17 September 2015 3:40pm – Mr Sancı was obstructive to the routine food hygiene visit, initially asking me to visit another day, then stating that he had a hospital appointment, first he said that he had to leave at 4pm then said that actually his appointment was at 4pm so had to leave now. I was suspicious of him trying to stop me looking in the kitchen so I said I would have a quick look around at the time and then could come back to complete the inspection. He then quickly disappeared into the kitchen. I followed and went down the stairs and I saw the back of what appeared to be another employee as he was in the same t-shirt as the others working in the kitchen as he quickly went out of the door to the rear of the shop and shut the door. Mr Sancı looked flustered and then he went to get his car keys

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Regards

Annabel

Annabel Hall
Environmental Health Officer
Public Protection Team

Tel: 01793 466274
Email: AHall3@swindon.gov.uk
Web: www.swindon.gov.uk

5th Floor, Wat Tyler House
Beckhampton Street
Swindon
SN1 2JH

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Diffin, Michael

From: sinan korkmaz <sinan_6226@icloud.com>
Sent: 17 November 2016 14:17
To: Diffin, Michael
Subject: Personal license

Whom it may concern,
name Sinan KORKMAZ,53 Fleet Street sn1 1 re Swindon.
control my name.From this date(17-11-2016) on the best barbecue,25 Victoria road sn1 3aw Swindon is my precious alcohol license (DPS)can not use that address any more my name and personal license. I let you know.all the best sincerely.

Personal license number:881110329 on

They had sell alcohol under

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Appendix B



Licensing Authority
5th Floor, Wat Tyler West
Beckhampton Street
Swindon
SN1 2JG
Tel: 01793 466113
licensing@swindon.gov.uk

Premises Licence

Schedule 12 - Part A

(THIS PART OF THE LICENCE MUST BE KEPT AT THE PREMISES AT ALL TIMES AND PRODUCED
UPON REQUEST OF AN AUTHORISED OFFICER)

Premises Licence Number	881160360LAPV
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Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code
Best Barbecue 24 Victoria Road Old Town Swindon Wiltshire SN1 3AW
Telephone number 07970311802

Where the licence is time limited the dates
Not Applicable

Licensable activities authorised by the licence
Late Night Refreshment Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities
Late Night Refreshment Thursday to Sunday 23:00 - 03:00 Monday to Wednesday 23:00 - 01:00
Sale by Retail of Alcohol

Monday to Sunday 15:00 - Midnight

The opening hours of the premises

Not Applicable

Where non standard timings are authorised, the opening times shall be as those authorised for licensable activities with an additional 30 minutes on the terminal hour.

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

On and Off sales only

Part 2

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

Mr Mehmet Sanci
24 Victoria Road
Old Town
Swindon
Wiltshire
SN1 3AW

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

None

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

Mr Sinan Korkmaz

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

Personal Licence No: 881110329PERSON

Licensing Authority: Swindon Borough Council

This Premises Licence is issued by Swindon Borough Council as Licensing Authority under Part 3 of the Licensing Act 2003 and regulations made thereunder.

Dated this 1st June 2016

Kathryn Ashton
Licensing Manager

Mandatory Conditions

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 his 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.
3.
 - (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;
 - (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).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
 - (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.
6. The responsible person must ensure that
 - (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 measures
 - (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.
7.
 - (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 (1)
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula

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

where

- (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) "relevant person" means, in relation to premises in respect of which there is in force a Premises Licence
 - (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) "relevant person" 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) "value added tax" 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) (a) Sub-paragraph (4)(b) below applies where the permitted price given by Paragraph (2)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (b) 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.

Conditions consistent with the Operating Schedule

8. A "Challenge 25*" policy shall be operated, No member of staff shall be permitted to sell alcohol until trained in the operation of the "Challenge 25" policy. Any person who appears to be under the age of 25 who attempts to buy alcohol shall be challenged to provide age verification in the form of a passport, photo driving licence, or a PASS accredited card. Where proper verification is not provided the sale shall be refused. A record of the refusal shall be kept in a refusals book, identifying the member of staff who refused the sale.

9. An incident book shall be kept on the premises to record the details of any instances of disorder or details of any persons who are detained on the premises or escorted from the premises. This shall be a bound book with sequentially numbered pages. The time the date and brief details of the incidents shall be recorded in the incident book and the names of the members of staff who dealt with the matter shall be recorded against each incident. The book shall be kept on the premises and shall be shown to any Authorised Officer on request at any reasonable time, and take copies if so needed.
10. No staff shall be permitted to sell alcohol until they have completed training in relation to "Challenge 25" and the sale of alcohol to drunks this training shall be documented and kept on the premises and shall be documented and kept on the premises and shall be shown to a Police Constable or any authorised officer on request or at any reasonable time. Refresher training is to be conducted every 6 months and this is to be documented and available for inspection by a Police Constable or any Authorised Officer on request or at any reasonable time.
11. CCTV which is fit for purpose and which covers all trading areas, Smoking Areas and entrance areas shall be provided and maintained in working condition when the premises are open for business. The CCTV product will be maintained for a minimum of 28days and shall be provided to enforcement bodies on request. There must be a person on the premises able to download CCTV at all times the premises is open for trading.
12. The premises licence holder will ensure that no open containers are taken from the premises.

Conditions attached after a hearing by the Licensing Authority

None

Plans

No changes to original plans

Appendix C



Licensing Authority
5th Floor, Wat Tyler West
Beckhampton Street
Swindon
SN1 2JG
Tel: 01793 466113
licensing@swindon.gov.uk

Premises Licence Schedule 12 - Part B

(THIS PART OF THE LICENCE MUST BE DISPLAYED IN A PROMINENT POSITION WITHIN THE PREMISES)

Premises Licence Number

881160360LAPV

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

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Old Town
Swindon
Wiltshire
SN1 3AW

Telephone number 07970311802

Where the licence is time limited the dates

Not Applicable

Licensable activities authorised by the licence

Late Night Refreshment
Sale by Retail of Alcohol

Times the licence authorises the carrying out of licensable activities

Late Night Refreshment

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Monday to Wednesday 23:00 - 01:00

Sale by Retail of Alcohol

Monday to Sunday 15:00 - Midnight

The opening hours of the premises

Not Applicable

Where non standard timings are authorised, the opening times shall be as those authorised for licensable activities with an additional 30 minutes on the terminal hour.

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

On and Off sales only

Name, (registered) address of holder of premises licence

Mr Mehmet Sanci
24 Victoria Road
Old Town
Swindon
Wiltshire
SN1 3AW

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

None

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

State whether access to the premises by children is restricted or prohibited

Not restricted

This Premises Licence is issued by Swindon Borough Council as Licensing Authority under Part 3 of the Licensing Act 2003 and regulations made thereunder.

Dated this 1st June 2016

Kathryn Ashton
Licensing Manager