

## Best Favourite Chicken and Ribs 3 Market Place Trowbridge

Hearing – Licensing Sub Committee 24 March 2015

Evidence submitted by the Licensing Authority: as a responsible authority.

This evidence has been submitted by Linda Holland Public Protection Team Leader – Licensing, duly authorised by Wiltshire Council as the officer acting for the responsible authority.

The evidence and information comprises of:

- Timeline of incidents
- Witness statements
- Emails
- Letters
- Hearing minutes
- Location plan
- List of late night takeaways in the vicinity

Information regarding premises licensed in Wiltshire is shared between partner agencies and responsible authorities under an enforcement protocol.

The Licensing Authority acting as a responsible authority will refer to evidence submitted by Wiltshire Police during its submission to the licensing sub-committee; this is to avoid duplication of documentation. This evidence has been verified by Police Officer witness statements and on a number of occasions supported by council officers' visits.

Documents that may be referred to are:

Licensing Act 2003

Wiltshire Council Statement of Licensing Policy

Section 182 Guidance



### Favourite Chicken – Incident timeline

18/06/2011	Council received application from Wiltshire Police for a review of the premises licence on grounds that premises were conducted in such a manner as to prejudice licensing objectives of the prevention of crime and disorder and public safety.
18/07/2011	Hearing on <b>18<sup>th</sup> July 2011</b> with sub-committee – 6 <sup>th</sup> December 2011 appeal decision was that the premises licence varied by a reduction in the hours that supply of hot food could take place and by addition of a requirement of SIA registered door staff to be employed on Thursday, Friday and Saturday nights as well as requirements that CCTV worked and that the door must be shut and locked when licence hours over. Evidence from Police that between January 2010 and May 2011 in excess of 50 incidents linked to premises took place. 62% of which were disorder. 76% of incidents took place after 4.00 hours.
09/08/2011	Appeal by Mr Olmez against sub-committee decision. (letter received 9 <sup>th</sup> August 2011)
20/09/2011	Inspection carried out, clarification carried out of door supervisor role and CCTV conditions.
07/12/2011	Appeal to magistrates– decision of sub-committee varied as follows (to amend hours Thursdays to Saturdays from 23.00 – 03.00 to <b>23.00 – 3.30</b> ) and secondly to remove the requirement for two SIA registered door staff to be present at the premises on Thursday nights.
16/01/2012	Member of the public reported food being sold from back door of Favourite Chicken – Police could not pursue as not enough evidence
20/02/2013	Police report – CCTV not recorded regularly. No incident book. Similarly on the 17 <sup>th</sup> March 2013 still taking orders at <b>03:45hrs</b> when should be shut at <b>03.30hrs</b> . Owner confirmed to Police that he would have continued to serve customers had they not attended.
17/03/2013	Serving past opening hours stated on licence
20/04/2013	Doors closed but customers still inside. Doors locked and customers left by the back door at <b>03.43hrs</b> .
10/05/2013	Warning letter sent to Mr Olmez regarding the information received from the Police regarding failure to comply with licence conditions.
04/11/2013	<b>Application for variation on premises licence (to be open till 5am Friday, Saturday and Christmas eve and New Years)</b>
08/11/2013	Formal warning letter sent reminding of licence conditions
07/01/2014	Hearing held after rep received from Police. Decision to grant the application: <b>subject to additional and varied condition.</b>  "On <b>Friday &amp; Saturday nights</b> , Christmas Eve, Christmas Day, New Years

	Eve and New Years Day and all bank holidays, the licence holder is required to <b>employ two SIA registered staff from midnight</b> until 30 minutes after the end of the time permitted for licensable activities and to employ <b>an additional SIA staff member from 03:30 hrs until 30 minutes after the end of the time permitted for licensable activities”</b>
25/01/2014	Breach of licence conditions only two door staff on duty at <b>03.35hrs</b> . Witnessed by Police.
26/01/2014	Breach of licence conditions only two door staff on duty at <b>03.37hrs</b> . Witnessed by Police.
09/02/2014	Breach of licence conditions. No door staff on duty at <b>00.17hrs</b> and CCTV at the front of the premises not working. Witnessed by Police.
01/03/2014	Breach of licence conditions. At <b>03.44hrs</b> two door staff seen when locking up the premises for the evening. Witnessed by Police.
02/03/2014	Breach of licence conditions. At <b>00.37hrs</b> no door staff on duty. Witnessed by Police.
02/04/2014	Email conversation between Lisa Grant and Marco Jones, Safe and Sound Security confirming the door staff conditions on Mr Olmez’s premise licence.
27/06/2014	Call taken from Marco from Safe and Sound advising that they have terminated their contract with Mr Olmez with immediate effect.
29/06/2014	Breach of licence conditions. At <b>00.25hrs</b> , only one door staff on duty. Witness statement provided by Police.
30/06/2014	Letter sent reminding Mr Olmez of his licence conditions relating to door staff following the termination of Safe and Sound’s contract.
16/08/2014	Breach of licence conditions. At <b>00.25hrs</b> , only one door staff on duty. At <b>00.45hrs</b> second door staff turned up. Witnessed by Police.
17/08/2014	Breach of licence conditions Police visit at <b>02:20hrs</b> one door supervisor on duty.
30/08/2014	Breach of Licence conditions Police visit at <b>00:20hrs</b> one door supervisor, second one arrived at <b>00:40hrs</b> .
31/08/2014	Breach of licence conditions. At <b>00.30hrs</b> no door staff on duty. Witnessed by Police.
31/08/2014	Breach of licence conditions. At <b>01.30hrs</b> , one door steward on duty, witnessed by Police Officer behind the counter taking money and orders.
31/08/2014	Further Police visit at <b>02:20hrs</b> one member of door staff was still working behind counter.
13/09/2014	Breach of licence conditions. At <b>00.20hrs</b> , only one door staff on duty.
21/09/2014	Breach of licence conditions. Police visited at <b>00.30hrs</b> , only one door staff on duty. Further Police visit at <b>00.50hrs</b> still only 1 door staff on duty.

28/09/2014	Breach of licence conditions. Police visited premise three times which show no door staff all night.
11/10/2014	Breach of licence conditions. At <b>00.30hrs</b> , only one door staff on duty. Witnessed by Police.
19/10/2014	Breach of licence conditions. Police made <b>two</b> visits to the premises At <b>00:05</b> there was one door staff on duty, at <b>01:40</b> there were two door staff on duty.
25/10/2014	Breach of licence conditions. At <b>00.20hrs</b> , only one door staff on duty. Police gave words of advice re complying with licence conditions.
26/10/2014	Breach of licence conditions. Police made <b>three</b> visits At <b>00.40hrs</b> , only one door staff on duty. At <b>01:00</b> still only one door staff in attendance.
26/10/2014	At 01:12 Police called to premises. Male asked to leave by door staff
27/10/2014	Formal warning letter sent to Mr Olmez reminding him of his licence conditions and informing that the licensing authority, have been made aware of further breaches.
31/10/2014	Letter received from Mr A R Erdozain asking for a variation to mend door staff condition. Variation application forms sent to Mr A R Erdozain. Witness statement provided by Teresa Bray
01/11/2014	Breach of licence conditions. At <b>00.20hrs</b> no door staff on duty. Witnessed by Police. Mr Olmez advised Officer he was only having one door staff on Fridays.
02/11/2014	Breach of licence conditions. At <b>01:15hrs</b> , no door staff on duty. Witnessed by Police.
02/11/2014	Compliance with Licence: At <b>02:20hrs</b> two door staff, witnessed by Police.
08/11/2014	Breach of licence conditions. At <b>02.10hrs</b> , only one door staff on duty. Disorder broke out. Witnessed by Police.
14/11/2014	Breach of licence conditions. At <b>00.20hrs</b> , one door staff on duty. Witness statements provided by Linda Holland and Teresa Bray
15/11/2014	Breach of licence conditions. At <b>00.40hrs</b> , only one door staff on duty. Witnessed by Police. Advice given by Police Officer re complying with licence conditions.
16/11/2014	Breach of licence conditions. At <b>00.45hrs</b> no door staff on duty. Witnessed by Police.
27/11/2014	Call taken by Linda Holland from Mr A R Erdozain stating he had not received variation applications. Original email with attachments forwarded to Mr Erdozain.
27/12/2014	Breach of licence conditions. At <b>02.35hrs</b> Police attended the premises due to disorder. <b>No door staff on duty</b> . Second disorder broke out and door staff from The Beach Nightclub had to assist. Witnessed by Police.

28/12/2014	Breach of licence conditions. At <b>01.00hrs</b> no door staff on duty. At <b>04.05hrs</b> a disorder broke out. Witnessed by Police.
07/01/2015	Formal warning letter sent following disorder breaking out at the premises on two consecutive nights and no door staff present.
10/01/2015	Breach of licence conditions. At <b>00.10hrs</b> no door staff on duty. Witness statement provided by Carla Adkins Licensing Officer
11/01/2015	Breach of licence conditions. At <b>00.10hrs</b> no door staff on duty. A further two visits during the evening and still no door staff.
18/01/2015	Breach of licence conditions. At <b>00:15hrs</b> Police officer visited premise only one door steward on duty, who confirmed he was the only door staff scheduled to work for the evening.
21/01/2015	<b>Review notice served by the licensing authority</b>
23/01/2015	<b>Variation application submitted</b> by Mr Kenan Olmez. Rejected <b>4th March 2015</b> Mr Olmez failed to comply with legislative requirements regarding advertising application.
31/01/2015	Breach of licence conditions: At <b>00:16</b> no door staff on duty. Witness statement provided by Teresa Bray Licensing Officer.
31/01/2015	Police officer attended disorder at premises, no door staff present and owner still serving food.
01/02/2015	Breach of licence conditions <b>At 00:25hrs</b> Police officer visited the premises, no door staff present. Mr Olmez stated they would arrive at <b>00:30hrs</b> .
04/02/2015	Email from Jamie Hancock (Safe and Sound) detailing reasons for terminating Mr Olmez' contract.
04/02/2015	Wiltshire Council Food Officers visited premises. Poor management practices evidenced. Witness statement from Guy Sharpe
07/02/2015	Breach of licence conditions: At <b>00:13 hrs</b> no door staff on duty. Witness statement provided by Teresa Bray Licensing Officer.
08/02/2015	Breach of licence conditions: At 00:45 hrs one door man on duty. Witness statement provided by Linda Holland Team Leader – Licensing.
28/02/2015	Breach of licence conditions: At <b>00:55hrs</b> <b>one</b> door man observed working behind counter. Witness statement provided by Teresa Bray Licensing Officer.
04/03/2015	Photos taken of premises with damage to shop front window which has been observed over several months. The damage demonstrates poor property management and little concern for staff and public safety.

### Other Late Night Licensed Premises:

The Licensing Team has had no cause to visit or send warning letters to the other premises licensed for late night refreshment in Trowbridge Town Centre.

Premise	Friday	Saturday
Chic o land	23:00 – 03:00	23:00 – 03:00
Flames	23:00 – 04:00	23:00 – 04:00
Charcoal Grill	23:00 - 04:30	23:00 – 04:30
Syriana	23:00 - 03:00	23:00 – 03:00
Mobile Trader Fore street	23:00 - 03:30	23:00 - 03:30
Mobile Trader Wicker Hill	23:00 - 03:30	23:00 – 03:30

### Summary

The Licensing Authority considers that the licence holder, Mr Olmez, has failed to promote the licensing objectives of prevention of crime and disorder and public safety, and that standards of management at the premises are well below that, which are expected of a premises operating in the late night economy.

Mr Olmez has demonstrated his failure to respond to both verbal and written warnings to comply with the condition relating to Door Stewards on his premises licence, to ensure public safety at his premises and reduce the impact of any crime and disorder, over a considerable period of time.

The Licensing Authority has no confidence that Mr Olmez will comply with any further conditions or amendments to his licence, and believes there are no further steps that could be taken, apart from revocation of the licence.

Linda Holland

Public Protection Team Leader: Licensing.

9<sup>th</sup> March 2015



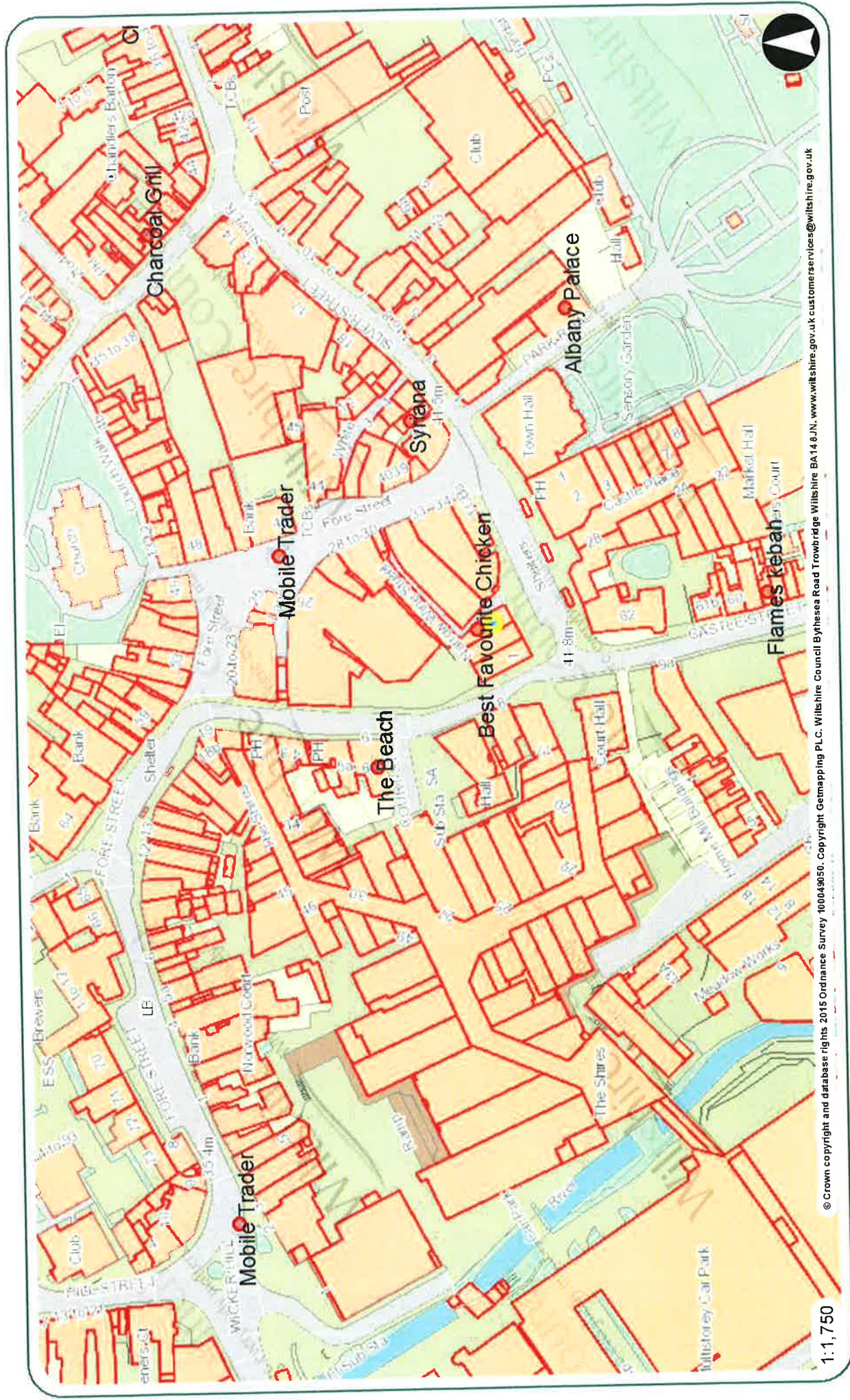


Date: 05 Mar 2015  
Centre Coordinate: 385,588 157,949

# Licensing Hearing 24th March 2015



Favorite Chicken



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- 3 MAY 2013

Mrs Lisa Grant  
Licensing Officer  
Public Protection Services  
Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge,  
Wilts BA14 8JD

**Divisional Licensing Officer**  
Trowbridge Police Station  
Polebarn Road  
Trowbridge  
Wiltshire BA14 7EP  
Telephone: 101  
Mobile:  
Ext: 725570  
Direct Dial: 01225 794627  
Facsimile: 01225 794799  
DX: 146500, Trowbridge 5.

Date 30 April 2013

Your ref

Our ref

Reply contact name is **David Bennett**

Dear Lisa,

**Ref: Best Favourite Chicken, 3 Market Street, Trowbridge BA14 8EY**

The above named premise was taken to a Licensing Review on 18 July 2011 following significant incidents of crime and disorder and licensing breaches.

As a result the trading hours were reduced back to a terminal hour of 04.00hrs Sun to Thurs, and 03.30hrs Fri & Sat.

The following conditions were also applied viz,

The licence holder is to employ two SIA registered staff from midnight to the terminal hour of the licence, Fri and Sat nights.

The premises doors shall be closed and locked at the terminal hour on the licence on the relevant day.

CCTV will operate during licensable hours and record both internally and at the front of the premises, externally. Recordings will be kept for a minimum of 30 days and will be made available, upon request, to the police, licensing officers and any authorised officer by staff suitably trained and competent in providing such information..

A period of stability has prevailed but more recently evidence of licence condition breaches have come to light.



INVESTOR IN PEOPLE



The following evidenced breaches have occurred at the above premise since the beginning of the year:

20 Feb 2013 at 19.00hrs – *'Visited in relation to an ongoing crime enquiry. CCTV is not recording regularly and there was no footage recorded between 3rd - 18th February upon my attendance.*

*They are not keeping an incident book; their last recorded "incident" was in March 2012 and is recorded on a loose piece of paper in the back of the door staff signing in book'.*

17 March 2013 at 03.40hrs – *'At 03.40 hours I went into the above premises with 2 other officers. I asked the doorstaff what time they were closing. I was informed that they close their doors at 03.45 hours. I asked to check their license which I subsequently did, this confirmed that they should be closing at 03.30 hours. The owner was still taking orders at 03.45 hours. We asked everyone to leave the premises who hadn't ordered. This still left approximately 10 persons waiting for their food. The owner was unhappy that we had attended. We left the premises at 03.55 hours ensuring everyone was out. The owner believes that he has 15 minutes after the 03.30 hours to serve. He also believes that he is allowed to continue serving any person already in the premises. He stated that he was just meant to close the door between 03.30 and 03.45 hours. The owner confirmed that if we hadn't attended then he would have continued taking the orders of anyone already within the premises'.*

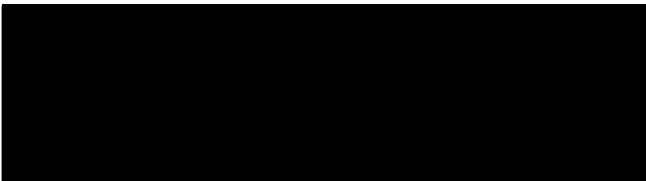
30 March 2013 at 03.40hrs – *'Stayed outside till 0355hrs whilst MOP were milling around outside. Door staff were refusing people in as they were now shut'.*

20 April 2013 at 03.40hrs – *'The doors to the premises were closed but there were still customers inside and being served at 03.40 hours. All the customers were Moo Moo's door staff, when the owner noticed the police vehicle outside he came to the front door and locked it, the Moo Moo's doorstaff all left by the back door at 03.43'.*

Clearly, the owner is continuing to ignore the conditions imposed on the premises licence, and is only closing his Late Night Refreshment venue when police officers are in attendance.

I would therefore be grateful if you would give consideration to the above evidence and advise what action the Authority wishes to take.

Yours sincerely



David Bennett  
Licensing Manager  
**Wiltshire Police**

Direct dial – 01793 507969



10 May 2013

Mr K Olmez  
Best Favourite Chicken  
3 Market Street  
Trowbridge,  
BA14 8EY

Licensing Team  
Public Protection Services  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Our Ref: jh1.5

Dear Mr Olmez

**Licensing Act 2003 – Late Night Refreshment**

**Premises Licence: Best Favourite Chicken, 3 Market Street, Trowbridge.**

The Licensing Authority has received information that you are still failing to comply with the conditions attached to your premises licence as amended on 6 December 2011.

You will recall that I visited your premises and hand delivered your amended premises licence and explained to you the conditions that had been attached following your appeal hearing on 6 December 2011.

At this time you were taken through the appeal decision notice where all conditions were explained and clarification was given, in particular, to the following:

- The premises doors shall be closed and locked at the terminal hour of the licence on the relevant day as follows:
  - Sunday – Wednesday – 23.00 hours to 04.00 hours the following day
  - Thursday – Saturday – 23.00 hours to 03.30 hours the following day

This means that all customers must have left your premises by this time and there should be no-one on the premises apart from staff.

- CCTV will operate during licensable hours and record both internally and at the front of the premises externally. Recordings will be kept for a minimum of 30 days and will be made available upon request, to the police, licensing officers and any authorised officer by staff suitably trained and competent in providing such information.

According to our information you have been witnessed on more than one occasion having customers in the premises after the terminal hour as stated on your licence. There are also further concerns raised regarding the availability of CCTV footage when requested.

**Please note that failure to comply with any conditions attached to your premises licence is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both (s.136 LA03). It may also result in a review of the premises licence, by the licensing committee, which could ultimately lead to revocation.**

Yours sincerely

Jo Hulbert  
Public Protection Officer (Licensing)  
E-mail: [licensingwest@wiltshire.gov.uk](mailto:licensingwest@wiltshire.gov.uk)







8<sup>th</sup> November 2013

Mr K Olmez  
Best Favourite Chicken  
3 Market Street  
Trowbridge,  
BA14 8EY

Licensing Team  
Public Protection Services  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Dear Mr Olmez

**FORMAL WARNING**

**Licensing Act 2003 – Late Night Refreshment**

**Premises Licence: Best Favourite Chicken, 3 Market Street, Trowbridge.**

I am writing further to our letter that was sent on 10<sup>th</sup> May 2013. The Licensing Authority is disappointed to have received further information from Wiltshire Police that you are still failing to comply with the conditions attached to your premises licence as amended on 6 December 2011, even though you have been advised about your non compliance on previous occasions.

The information reported to the Licensing Department is that on 8<sup>th</sup> September 2013 the premises were **again** operating outside of the licensing hours. It was witnessed by Wiltshire Police that food was being served to customers via the back door.

**Please may I remind you of the following times and conditions on the licence.**

- **The premises doors shall be closed and locked at the terminal hour of the licence on the relevant day as follows:**
  - **Sunday – Wednesday – 23.00 hours to 04.00 hours the following day**
  - **Thursday – Saturday – 23.00 hours to 03.30 hours the following day**

**This means that all customers must have left your premises by this time and there should be no-one on the premises apart from staff.**

- **CCTV will operate during licensable hours and record both internally and at the front of the premises externally. Recordings will be kept for a minimum of 30 days and will be made available upon request, to the police, licensing officers and any authorised officer by staff suitably trained and competent in providing such information.**

**Please note that failure to comply with any conditions attached to your premises licence is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both (s.136 LA03). It may also result in a review of the premises licence, by the licensing committee, which could ultimately lead to revocation.**

Yours sincerely

Lisa Grant  
Public Protection Officer (Licensing)  
E-mail: [licensingwest@wiltshire.gov.uk](mailto:licensingwest@wiltshire.gov.uk)



## WESTERN AREA LICENSING SUB COMMITTEE

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**DRAFT MINUTES OF THE WESTERN AREA LICENSING SUB COMMITTEE MEETING HELD ON 7 JANUARY 2014 AT WEST WILTSHIRE ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN IN RESPECT OF AN APPLICATION FOR A VARIATION OF A PREMISES LICENCE - FAVOURITE CHICKEN & RIBS, 3 MARKET STREET, TROWBRIDGE**

**Present:**

Cllr Trevor Carbin, Cllr Sue Evans and Cllr Simon Jacobs

**Also Present:**

Wiltshire Council

Linda Holland (Senior Licensing Officer)  
Lisa Pullin (Democratic Services Officer)  
Paul Taylor (Senior Solicitor)

Applicant/Representatives

Alistair Erdozain  
Kenan Olmez

Responsible Authority

PC Alison Davies (Wiltshire Police)  
Jacqui Gallimore (Licensing Officer – Wiltshire Police)  
Sgt Jim Sutter (Wiltshire Police)

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1 **Election of Chairman**

Nominations for a Chairman of the Licensing Sub Committee were sought and it was

**Resolved:**

**To elect Councillor Trevor Carbin as Chairman for this meeting only.**

## 2 **Procedure for the Meeting**

The Chairman explained the procedure to be followed at the hearing, as contained within the "Wiltshire Licensing Committee Procedural Rules for the Hearing of Licensing Act 2003 Applications" (Pages 1 – 6 of the Agenda refers).

## 3 **Chairman's Announcements**

The Chairman gave details of the exits to be used in the event of an emergency.

## 4 **Declarations of Interest**

There were no interests declared.

## 5 **Licensing Application**

### **Application for a Variation of a Premises Licence in respect of Favourite Chicken & Ribs, 3 Market Street, Trowbridge made by Mr K Olmez**

The Licensing Officer introduced the purpose and scope of the application, the premises to which it related and the key issues for consideration.

Clarification of the days on which an extension to the provision of late night refreshment was sought and it was confirmed that the Applicant wished to extend hours on a Friday and Saturday night to 05.00 hours (Saturday and Sunday mornings).

In accordance with the procedure detailed in the agenda, the Applicant and the Responsible Authority who had made a representation (Wiltshire Police) were given the opportunity to address the Sub Committee.

Mr A Erdozain was present to represent Mr Olmez, the Applicant and with the consent on the Sub Committee and the Responsible Authority he circulated copies of the submission he would be making at the hearing.

Key points raised by Mr Erdozain were:

- That the incidents referred to in Agenda Supplement 1 (log summary pages 6 to 18 and down to item 24 on page 19) relate to the period before the appeal hearing at Chippenham Magistrates Court on 6 December 2011 and that he felt that there were not relevant to the current application;
- That the remaining incidents in the storm log from item 25 on page 19 to item 50 on page 22 were all dealt with calmly and handled by Mr Olmez's qualified door security staff and Police where relevant;

- Two other items in the log referred to instances when Mr Olmez thought he was allowed “eating up time” and allowed to serve customers up until closing time. Mr Olmez is now aware that this is not the case;
- That at the Court appeal hearing on 6 December 2011 the Court were advised of the competitors’ licensing times for late night refreshment and they made their decision for the closing times for Favourite Chicken & Ribs to coincide with that of the competitor’s licences;
- However since that time it has come to light that the actual licence times for late night refreshment for Flames and Charcoal Grill for Friday and Saturday nights are 04:00 and 04:30 respectively;
- That the Applicant would offer to increase the number of trained SIA door staff to 3 during the extended opening hours if granted from the current 2.

The following questions were asked of the Applicant:

Would you be prepared to agree that the door staff remain for a period after 05:00 to help disperse any patrons?

*Yes – we could establish a time that they could remain on duty to.*

Jacqui Gallimore (Licensing Officer, Wiltshire Police) was present to represent the Responsible Authority and with the consent on the Sub Committee and the Applicant she circulated copies of a summary of incidents relating to Favourite Chicken & Ribs from 1 January 2010 to 21 December 2013.

Key points raised by Jacqui Gallimore were:

- That on page 27 of the Agenda Supplement 1 which is a note of the Appeal hearing of 6 December 2011 it states that the evidence of crime disorder connected to the premises is not disputed by Mr Olmez;
- That during the period 1 January 2010 to 5 July 2011 the majority of incidents occurring on Friday and Saturday evening are shown on the incident summary as occurring between 04:00 and 05:00 hours;
- Following the appeal hearing on 6 December 2011 when the two SIA door staff were then in place this had a significant impact on the incidents at the premises;
- That were unaware of the offer of a third SIA door staff member until heard at the meeting today – this would be welcomed;

- That the previous incidents are still relevant (particularly since the review in July 2011) and there are still problems with crime and disorder although the severity of the incidents has greatly reduced;
- With the Police's anticipatory judgement based on experience and the support of the statistics it was expected that the problems experienced in 2010/2011 will return; and
- There is a long history of the Applicant not fully complying with his licence restrictions and we note there appear to be problems with his CCTV and him serving customers beyond permitted hours.

Sgt Jim Sutter was asked to provide information since the submission of the Police's evidence to date and he made the following key points:

- Whilst on duty on New Year's Eve I noted that there were no door staff working at Favourite Chicken & Ribs and although they were not required according to his existing licence I would have expected the Applicant to consider that this would be necessary due to the large volume of people out on New Year's Eve;
- At 04:10 I noticed that there were approximately 6 members of the public in the premises at the counter being served and it wasn't until 04:20 that the premises were finally emptied and locked. The Applicant has a licence for late night refreshment to 04:00 on a Tuesday evening; and
- I have checked with the other local late night refreshment venues and confirm that at present they are open later than Favourite Chicken & Ribs, but we have no evidence of crime and disorder that are linked to the other premises.

The following questions were asked of the Responsible Authority:

Since December 2011 have all incidents at Favourite Chicken been dealt with and calmed and cleared by the SIA Door staff or the Police?

*We accept that the door staff have reduced the incidents but incidents are still being recorded by us (via a call from a member of the public, the premises itself or via Police radio) and these all get logged.*

Was it illegal to give the four ladies food that were hungry after the permitted hours?

*Yes even if the food was gifted to them, the supply of late night refreshment is not allowed after the permitted hours.*

Do the Police patrol a lot in the area?

*The Trowbridge Neighbourhood Policing Team have a high visibility of foot patrols in the town centre area.*

If there were to be 3 SIA staff would you be happy with that?

*We are pleased with the reduction of incidents since SIA staff have been in place, but we are not sure if this is because of the presence of the door staff or because the premises currently closes before the last night club kicks out (at 04:00 hours). We anticipate larger numbers of customers if the premises were to open to 05:00 hours and this could lead to problems.*

What impact does the taxi rank's close location to the premises have?

*It is a "draw" area and accept that the location of the premises does cause the Applicant problems.*

The location of the premises is unique, if the permitted hours were to be extended would this diffuse the current situation thus allowing all hungry patrons to be served before the premises closes?

*History doesn't show this to be the case. Prior to the review we were dealing with disorder at 05:00 or even 06:00 hours.*

In what way can you attribute the disorder to the premises?

*The disorder is attributed to the business if it is open and trading. It is the Applicant's choice as to when he trades and we don't experience problems at other locations.*

Jacqui Gallimore made the following points in summation:

- We understand that the Applicant needs to make a living but would say that there was a signification reduction in crime and disorder after the hours were reduced;
- We accept that since the SIA door staff have been in place the number of incidents has reduced;
- We anticipate that the later you trade the more intoxicated the patrons will probably be and there is a lack of Police resources for the proposed extended hours; and
- We are not confident in the Applicant's ability to promote the licensing objectives or believe that he fully understands his responsibilities.

Alastair Erdozain made the following points in summation:

- There was a considerable reduction in the disorder and number of incidents since 2011;
- The Applicant now fully understands his requirements, namely that the doors to the front and rear of the premises should be locked by the terminal hour;
- The Applicant has felt a bit victimised for the last few year but accepts that this is a focal part of the town for a lot of people; and
- The Applicant is determined to comply with his licence and the increase in door staff will assist him with this. Perhaps only a certain number of patrons could be allowed in the premises at any one time.

The Sub Committee wished to clarify how many members of staff were on duty on Friday and Saturday evenings within the premises and the Applicant confirmed that 2 staff were serving in the premises and the 2 current SIA door staff. Sgt Sutter confirmed that the Police patrol of "Operation Exit" does not extend beyond 05:00 hours. After that time any incidents would be reported to the Incident room and Police Officers despatched as required.

The Chairman indicated that they would be now retiring to make their determination and would not anticipate returning before 1.00pm. All parties were welcome to return at that time, but contact telephone numbers could be taken for those not returning and they would be telephoned with information of the determination later today.

The Sub Committee members retired at 11.45pm and were accompanied by the Solicitor for Wiltshire Council and the Democratic Services Officer.

The Hearing reconvened at 1.00pm.

**Resolved:**

**The Western Area Licensing Sub Committee has resolved to grant the application for a variation of the Premises Licence for Favourite Chicken and Ribs, 3 Market Street, Trowbridge for the provision detailed below:**

***Provision of late night refreshment***

**On Fridays and Saturdays 23:00 hrs to 05:00 hrs (Next Day)**

**Christmas Eve, Christmas Day, New Year's Eve, New Year's Day and all Bank Holidays from 23:00 hrs to 05:00 hrs (Next Day).**

**And subject to the following additional or varied conditions:**



- 1. All doors to the premises must be closed and locked by the end of the time permitted for licensable activities on the relevant day at which point all customers shall have left the premises.**
- 2. On Friday and Saturday nights, Christmas Eve, Christmas Day, New Year's Eve and New Year's Day and all bank holidays, the licence holder is required to employ two SIA registered staff from midnight until 30 minutes after the end of the time permitted for licensable activities and to employ an additional SIA staff member from 03.30 hrs until 30 minutes after the end of the time permitted for licensable activities.**

**All other existing conditions still apply to the Premises Licence.**

**Reasons:**

**The Sub Committee have taken into account the concerns raised by Wiltshire Police that an extension to the licensable hours would bring some return to the problems that occurred in the past. However, they noted that the number of incidents has diminished since the employment of trained door staff at the premises and considered that the requirement for a third SIA trained door staff after 3.30 a.m. on Fridays and Saturdays (as offered by the Applicant) would further improve the situation, particularly as the door staff would now be required to be in place for a period of time after the closure of the premises.**

**The Sub Committee also noted the reassurances on behalf of the Applicant that he fully understands the implications of the Licensing Act and his responsibilities.**

**In reaching its decision the Sub Committee has considered the relevant provisions of the Licensing Act 2003 (in particular Sections 4 and 35); the guidance issued under Section 182 of the Act and the Licensing Policy of Wiltshire Council.**

**Right to Appeal**

**All parties have the right to appeal to the Magistrates Court within 21 days of receipt of this decision. Any Responsible Authority or Interested Party has the right to request a Review of the Licence.**

The Officer who has produced these minutes is Lisa Pullin, of Democratic Services,  
direct line 01225 713015, e-mail [lisa.pullin@wiltshire.gov.uk](mailto:lisa.pullin@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115

30th June 2014

Mr K Olmez  
Favourite Chicken & Ribs  
3 Market Street  
Trowbridge  
BA14 8EY

Public Protection Services  
Licensing Team  
Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge  
BA14 8JN

DX 34208 CHIPPENHAM

Our ref: LN/000012623

Dear Mr Olmez

**Re: Licensing Act 2003 – Change of security staff**  
**Premises: Best Favourite Chicken, Favourite Chicken and Ribs, 3 Market Street,**  
**Trowbridge, Wiltshire, BA14 8EY**

Further to our telephone conversation on Friday 27<sup>th</sup> June 2014 regarding the change in your security staff I would like to take this opportunity to remind you of the following additional condition on your licence:

**On Friday & Saturday nights, Christmas Eve, Christmas Day, New Years Eve and New Years Day and all bank holidays, the licence holder is required to employ two SIA registered staff from midnight until 30 minutes after the end of the time permitted for licensable activities and to employ an additional SIA staff member from 03:30 hrs until 30 minutes after the end of the time permitted for licensable activities.**

The penalty for conviction for offences under the Licensing Act 2003 is up to £20,000, up to 6 months imprisonment or both.

Should you require any further information please do not hesitate to contact the Licensing Team.

Yours faithfully

**Teresa Bray**  
**Public Protection Officer - Licensing**  
Tel. 01249 706413  
Email: [publicprotectionwest@wiltshire.gov.uk](mailto:publicprotectionwest@wiltshire.gov.uk)



**Holland, Linda**

---

**From:** Grant, Lisa  
**Sent:** 02 April 2014 15:49  
**To:** Safe & Sound - Security Department  
**Cc:** [REDACTED]  
**Subject:** RE: Door Staff

Hi Marco

Thank you for your email. I can confirm that the condition relating to Favourite Chicken in Trowbridge for Door Staff are as follows:-

- **On Friday & Saturday nights, Christmas Eve, Christmas Day, New Years Eve and New Years Day and all bank holidays, the licence holder is required to employ two SIA registered staff from midnight until 30 minutes after the end of the time permitted for licensable activities and to employ an additional SIA staff member from 03:30 hrs until 30 minutes after the end of the time permitted for licensable activities.**

This is a licence condition on the premises licence and must be adhered to by the applicant.

If you have any other correspondence from the applicant of the contrary, please could you forward this on to myself.

Regards

Lisa Grant  
Public Protection Officer (Licensing)  
Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN  
Email: [lisa.grant@wiltshire.gov.uk](mailto:lisa.grant@wiltshire.gov.uk)  
Direct Dial: 01380 826332

Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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---

**From:** Safe & Sound - Security Department [REDACTED]  
**Sent:** 02 April 2014 15:35  
**To:** Grant, Lisa  
**Cc:** [REDACTED]  
**Subject:** Door Staff

Hi Lisa

Just to clarify or phone conversation ref the hrs. at the chicken hut in Trowbridge on fri sat nights  
Fri and sat door staff x2 required from 00.00 until 05.30 1xdoorstaff from 03.30 until 05.30 both nights  
And this is a legal requirement

Kind regards

Marco Jones  
Security Department



1 Church Walk  
Trowbridge  
BA14 8DX

**Mobile:** +44 (0) 7786 396 573

**Tel:** +44 (0) 1225 774008 – **(Press 1)**

**Fax:** +44 (0) 1225 774344



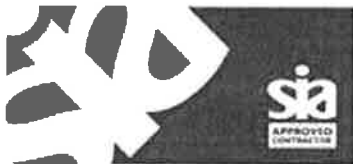
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# Witness Statement

STATEMENT OF: TERESA KATHRYN BRAY

Age of witness: over 18

Occupation of witness: Public Protection Officer – Licensing

This statement consisting of 2 pages each signed by me is true to the best of my knowledge.

Dated the 5<sup>th</sup> November 2014

Signature

1. My name is Teresa Bray and I am employed by Wiltshire Council as a Public Protection Officer for Licensing. Part of my role is to investigate complaints relating to licences issued by the Council. I have been working for the Council for 7 years, almost 1 year as a full time Licensing Officer. I am an authorised officer of Wiltshire Council.
2. On 31 October 2014 I received an email from Lesley Elven, Technical Support Officer giving information regarding a letter which had been received into the Monkton Park office on 27 October 2014 from Mr Alistair Erdozain, a managing consultant acting on behalf of Mr Kenan Olmez, Premises Licence Holder of Favourite chicken and ribs. The letter was attached to the email.
3. The letter was entitled '*Application for alteration in conditions attached to licensing variation made to premises at 3 Market Street Trowbridge BA14 8EY of January 2014*'. No variation application form or fee was submitted.
4. After reading the letter it became clear that Mr Erdozain was wishing the letter alone to be accepted as an application to '*reduce the number of hours he (Mr Olmez) has to pay out to SIA qualified door security staff at times when there are very few or even no customer attending the premises*'.

Signature

dated

5<sup>th</sup> November 2014

5. My immediate concern was that Mr Erdozain was under the impression that by just submitting this letter the condition would have been removed. I immediately called Mr Erdozain thanking him for his letter and explained the variation process including the consultation period. I told him I would forward the relevant application forms and guidelines to vary the licence to him via email and he provided me with his email address.
6. I then took the opportunity to draw his attention to a specific request made in the letter. *'We request that the stringent and costly requirement to have up to three SIA qualified security staff be lifted with immediate effect'*. I informed Mr Erdozain that until the application has gone through the consultation period and been granted Mr Olmez **MUST** adhere to **ALL** the conditions attached to his current licence. Therefore the conditions which he had asked to be lifted still stand.
7. At 11:59 on 31 October 2014 I sent an email to Mr Erdozain attaching the variation application forms and guidelines and again highlighting to him that *'As discussed on the telephone there is a variation process which needs to be adhered to. Once the application has been accepted as a complete application a 28 day consultation will commence. During this time Mr Olmez **MUST** adhere to **ALL** the conditions attached to his current licence. Therefore until this process is complete the conditions which you have asked to be lifted still stand'*
8. I then followed this with an email to him at 09:37 on 3 November 2014 informing Mr Erdozain that reports had been sent through to us from Wiltshire Police stating that Mr Olmez had not complied with his licensing conditions relating to door staff over the weekend.

Signature



dated

05 November 2014



**MISSION PRACTICE LIMITED**  
**MANAGING CONSULTANTS & ACCOUNTANTS**  
 Registered in England & Wales Company No 6262663  
 Tel: 01225 775970; Mbl: 07506467375;  
 e-mail: arerdozain@hotmail.com

RECEIVED  
 27 OCT 2014  
 PUBLIC PROTECTION  
 RECEIVED

**Your Ref:** LICre3MktSt/WW0900072

**Our Ref:** ARE/LMZK/LGL

**Andil House**  
**Court Street**  
**Trowbridge**  
**Wiltshire**  
**BA14 8BR**

30 OCT 2014

15<sup>th</sup> October 2014  
 PUBLIC PROTECTION

Lisa Grant  
 Public Protection Officer (Licensing)  
 County Hall  
 Bythesea Road  
 Trowbridge  
 BA14 8JN

Dear Lisa Grant

**APPLICATION FOR ALTERATION IN CONDITIONS ATTACHED TO  
 LICENCE VARIATION MADE TO PREMISES AT 3 MARKET STREET  
 TROWBRIDGE BA14 8EY OF JANUARY 2014**

We have been requested by our client Mr Kenan Olmez to make the above application to reduce the number of hours he has to pay out to SIA qualified door security staff at times when there are very few or even no customers attending the premises.

Contractors and employees of Safe and Sound have frequently pointed out to Mr Olmez that they have been wasting time and resources of both businesses whilst supervising no customer traffic.

Safe and Sound in particular have made it clear to Mr Olmez that the conditions and volume of customer traffic to the premises at the hours in question bear no relation at all today when compared with the volumes of customer traffic passing through the premises in 2010/2011. This has been confirmed by the two principal Night Clubs in Trowbridge together with the main taxi rank in Market Street, Trowbridge who have all complained about the massive fall off in night time economy over the last four years.

Accordingly, and we believe the police will also verify the fall off in the night time economy due to the ever biting economic recession during this period, we request that the stringent and costly requirement to have up to three SIA qualified security staff be lifted with immediate effect.

With effect from 23<sup>rd</sup> July 2014 Safe & Sound walked away from their responsibilities on the Market Street site due to the lack of customer traffic and because their contracted staff were inactive for long periods of time on Friday and Saturday nights.



Mr Olmez was then left with very short notice to have to find replacement SIA qualified contractors which he managed to do after a short period.

The new SIA qualified staff are as follows:

Luther Francis – SIA number: 0130019011694505  
Jake Ager – SIA number: 0130015087298274  
Mr Daniel – SIA number: 0130016868929715;  
George Joseph – SIA number: 0130018432546561  
Mr Ahmet


The above staff are still working for Mr Olmez on a temporary basis at the Market Street premises but they too have found and pointed out to Mr Olmez that frequently their services are not required due to little or no customer traffic.

Mr Olmez has often now had to close the Market Street premises up to one hour inside the licensed time of closure. The taxi rank also go home early due to there being no more customers at that time. Apparently all customers disappear off to Club Ice in Westbury Trading Estate. This can be confirmed by the Police who also disappear with nothing or any potential disorder happening at that earlier time.

To assist the Licensing Officers and Council in deciding this case Mr Olmez suggests that any objecting party could be at liberty to return to the Council in the future to vary these intended relaxed terms should the economic conditions and customer traffic return to their previous levels not experienced since 2011.

We attach as appendices to this letter evidence of the cost of engaging SIA Security staff together with the suggested revised hours of SIA qualified staff which Mr Olmez now considers necessary for the late hours opening of the Market Street premises on Friday and Saturday nights.

The SIA qualified staff referred to above are prepared to support this application notwithstanding that they personally will not see or derive any benefit from the relaxed conditions outcome.



Alastair R Erdozain  
Managing Consultant  
Mission Practice Ltd



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Registered in England & Wales Company No 6262663  
Tel: 01225 775970; Mbl: 07506467375;  
e-mail: arerdozain@hotmail.com

**APPENDIX A**

15<sup>th</sup> October 2014

Lisa Grant  
Public Protection Officer (Licensing)

**APPLICATION FOR ALTERATION IN CONDITIONS ATTACHED TO  
LICENCE VARIATION MADE TO PREMISES AT 3 MARKET STREET  
TROWBRIDGE BA14 8EY OF JANUARY 2014**

Total SIA qualified security staff hours per week	<u>20 hours</u>
Hourly gross cost of above staff	£ 16.14
Total weekly cost of above staff	<u>£ 322.80</u>
Total annualised cost of above staff	£16,785.60
Total public holidays' cost of above staff	£ 3,004.20
Total annual cost of SIA security staff	<b>£19,789.80</b>



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e-mail: arerdozain@hotmail.com

**APPENDIX B**

15<sup>th</sup> October 2014

Lisa Grant  
Public Protection Officer (Licensing)

**APPLICATION FOR ALTERATION IN CONDITIONS ATTACHED TO  
LICENCE VARIATION MADE TO PREMISES AT 3 MARKET STREET  
TROWBRIDGE BA14 8EY OF JANUARY 2014**

Suggested revised Total SIA qualified security staff hours per week  
required on the 3 Market Street Premises: 5 hours

All the revised hours will be for one staff member for Saturday nights only.  
It is considered no longer necessary to have any SIA qualified security member to  
attend on Friday nights.





## Holland, Linda

---

**From:** Bray, Teresa  
**Sent:** 31 October 2014 11:59  
**To:** [REDACTED]  
**Subject:** Application for alteration in conditions attached to Best favourite Chicken, Trowbridge.  
**Attachments:** Full Variation application form.pdf; Full Variation list of resp auth.pdf; Full Variation guidance.pdf

Mr Erdozain

Many thanks for the letter we have received concerning the licensing conditions attached to the above premises licence.

Attached are the application forms which you would need to submit should you wish to apply for a full variation to remove conditions.

I would just like to draw your attention to a specific request made in your letter.

*'We request that the stringent and costly requirement to have up to three SIA qualified security staff be lifted with immediate effect'*

As discussed on the telephone there is a variation process which needs to be adhered to. Once the application has been accepted as a complete application a 28 day consultation will commence. During this time Mr Olmez **MUST** adhere to **ALL** the conditions attached to his current licence. Therefore until this process is complete the conditions which you have asked to be lifted still stand.

Kind regards

**Teresa Bray**  
**Public Protection Officer (Licensing)**

Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Email: [teresa.bray@wiltshire.gov.uk](mailto:teresa.bray@wiltshire.gov.uk)

Direct Dial: 01249 706413

Internal: 21413

Work Mobile: 07827 976810

Web: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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## Bray, Teresa

---

**From:** Safe & Sound - Security Department [bookings@safeandsoundgroup.com]  
**Sent:** 04 February 2015 15:36  
**To:** Bray, Teresa  
**Cc:** [REDACTED]  
**Subject:** Best Favourite Chicken

Hi Teresa

There were a couple of reasons why we felt we had to stop supplying staff to BEST Favourite's Chicken

We operate on a minimum of 4 hours per staff member, however, due to the financial costs, Mr Olmez was looking to reduce cover to 3 hours, which we were unable to provide.

We also experienced difficulties with payments towards the end of the contract (as detailed below).

Due to changes in his licensing conditions, we were asked to supply staff for an extra hour on Saturday evenings, but we were consistently underpaid, due to Mr Olmez not altering his Direct Debit to reflect these changes.

We wrote to Mr Olmez on a number of occasions asking him to amend his direct debit to reflect the new cost, stating that we would have to withdrawal our services if he did not meet his financial obligations, but to no avail

Mr Olmez did pay the difference each time we sent a staff member to his premises to collect the missing amounts, but the Direct Debit was not amended until we had withdrawn our services.

Once the backlog of payments had been cleared, we instructed Mr Olmez to cancel his payment to us, and refunded him the difference in full.

With these issues in mind, we felt we had no alternative other than to withdrawal our services

Jamie Hancock  
Accounts Manager



1 Church Walk  
Trowbridge  
Wiltshire  
BA14 8DX

DDI: +44 (0) 1225 712 031  
Tel: +44 (0) 1225 774 008  
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Safe & Sound UK Limited, Company Number 5563894 (England & Wales)

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27<sup>th</sup> October 2014

Mr K Olmez  
Favourite Chicken & Ribs  
3 Market Street  
Trowbridge  
BA14 8EY

Public Protection Services  
Licensing Team  
Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge  
BA14 8JN

DX 34208 CHIPPENHAM

Our ref: LN/000012623

Dear Mr Olmez

**Re: Licensing Act 2003 – Formal Warning**  
**Premises: Best Favourite Chicken, Favourite Chicken and Ribs, 3 Market Street,  
Trowbridge, Wiltshire, BA14 8EY**

I am writing to inform you that it has been brought to our attention that your premises is **not** adhering to the conditions relating to Door Steward provision on your premises licence. I am disappointed to note this is still occurring on a regular basis, having received previous and ongoing advice and warnings from both the Licensing Authority and Wiltshire Police.

**The conditions state:**

- **On Friday & Saturday nights, Christmas Eve, Christmas Day, New Years Eve and New Years Day and all bank holidays, the licence holder is required to employ two SIA registered staff from midnight until 30 minutes after the end of the time permitted for licensable activities.**
- **And to employ an additional SIA staff member from 03:30 hrs until 30 minutes after the end of the time permitted for licensable activities.**

It is a legal requirement that all the terms of the Premises Licence are strictly complied with. The penalty for conviction of offences under the Licensing Act 2003 is up to £20,000 and/or 6 months imprisonment. Each day that you trade without addressing the current breaches of your license conditions constitutes a separate offence against section 136 of the Act future breaches will leave us with no other option than to consider either prosecution or request a review of the premises licence.

If you have any concerns regarding the content of this letter please contact me to arrange an appointment.

Yours Sincerely

Linda Holland  
**Public Protection Team Leader - Licensing**  
Tel. 01249 706410  
Email: [publicprotectionnorth@wiltshire.gov.uk](mailto:publicprotectionnorth@wiltshire.gov.uk)

cc. Wiltshire Police

# Witness Statement

**STATEMENT OF: LINDA VANESSA HOLLAND**

**Age of witness: over 18**

**Occupation of witness: Public Protection Team Leader – Licensing**

This statement consisting of 2 pages each signed by me is true to the best of my knowledge.

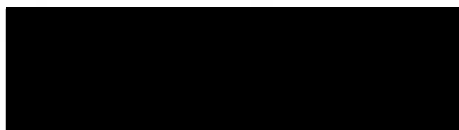
Dated the 2<sup>nd</sup> December 2014

Signature



1. My name is Linda Holland and I am employed by Wiltshire Council as a Public Protection Team Leader for Licensing. Part of my role is to investigate complaints and breaches relating to licences issued by the Council. I have been working for the Council for 26 years, 22 years as a Licensing Officer. I am an authorised officer of Wiltshire Council.
2. During the evening of Friday 14<sup>th</sup> November 2014, I was on duty with my colleague Teresa Bray, Public Protection Officer - Licensing. We were working late to carrying out evening visits to various licensed premises in the west of the county.
3. At approximately 00.20hrs that evening we attended Best Favourite Chicken in Trowbridge.
4. As we approached the premises one door steward was visible from the outside. We entered the premises to confirm our observation, we were both aware that the conditions on the Premises licence issued to Mr Olmez require two door stewards to be present from 00:00. As we entered Best Favourite chicken the door steward was sat on a bar stool between the entrance and the serving counter.

Signature

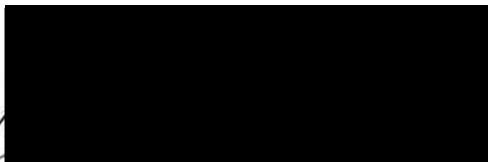


dated

2<sup>nd</sup> Dec 2014

5. I spoke to the door steward who confirmed his name was Mr L Francis and I took his badge number. I asked Mr Francis if he was the only Door steward working that night to which he replied "Yes". I asked Mr Francis if he was aware of the conditions on the licence requiring more than one door steward to be present at the premises from midnight to which he replied "yes".
  
6. During the time Teresa and I were in the premise Mr Olmez stood behind the counter and when approached by us walked away and refused to engage in conversation with us.
  
7. Teresa Bray and I left the premise at 00:30.

Signature



dated

2<sup>nd</sup> Dec 2014



# Witness Statement


**STATEMENT OF: TERESA KATHRYN BRAY**

**Age of witness: over 18**

**Occupation of witness: Public Protection Officer – Licensing**

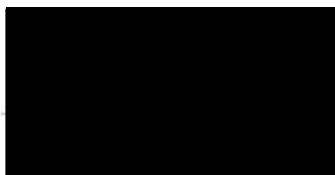
This statement consisting of 2 pages each signed by me is true to the best of my knowledge.

Dated the 3<sup>rd</sup> December 2014

Signature.  .....

1. My name is Teresa Bray and I am employed by Wiltshire Council as a Public Protection Officer for Licensing. Part of my role is to investigate complaints relating to licences issued by the Council. I have been working for the Council for 7 years, almost 1 year as a full time Licensing Officer. I am an authorised officer of Wiltshire Council.
2. On the evening of Friday 14th November 2014, I was on duty with my colleague and Licensing Team Leader Linda Holland. We were working late to carrying out evening visits to a number of licensed premises in the West of the county.
3. At approximately 00.20hrs on Saturday 15<sup>th</sup> November 2014 we attended Favourite Chicken and Ribs, 3 Market Street, Trowbridge, BA14 8EY.
4. Approaching the premises both myself and Linda observed only 1 door steward sat on a stool inside the premises. Due to the conditions on Mr Olmez's premises licence stating that there must be two door stewards present from 00:00 hrs Linda and I entered the premises to confirm our findings.

Signature

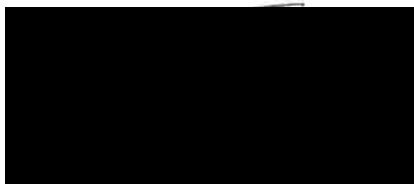


dated

03/12/14

5. Linda approached the door steward and introduced herself. She took his name and his badge number. She asked if he would be the only door steward working at the premises that evening to which he replied "Yes". Linda asked him if he was aware of the conditions on the premises licence relating to the door staff to which he replied "Yes".
  
6. At this point Mr Olmez appeared behind the counter. I addressed him by saying "hello Mr Olmez" to which he ignored. The next time I looked up Mr Olmez had disappeared therefore making it impossible to engage with him.
  
7. Linda and I left the premises at 00.30hrs.

Signature



dated

03/12/14

7<sup>th</sup> January 2015

Mr K Olmez  
Favourite Chicken & Ribs  
3 Market Street  
Trowbridge  
BA14 8EY

Public Protection Services  
Licensing Team  
Wiltshire Council  
County Hall  
Bythesea Road  
Trowbridge  
BA14 8JN

DX 34208 CHIPPENHAM  
Our ref: LN/000012623

Dear Mr Olmez

**Re: Licensing Act 2003 – Formal Warning, Breach of licence conditions.**  
**Premises: Best Favourite Chicken, Favourite Chicken and Ribs, 3 Market Street, Trowbridge, Wiltshire, BA14 8EY**

I am most disappointed to have to write to you yet again regarding further breaches of the conditions relating to Door Steward provision on your premises licence.

It has been brought to our attention that at 02:35 on 27<sup>th</sup> December 2014 your premises was visited by Wiltshire Police following a disorder outside. No door staff were on duty at your premises at this time and for the following 40 minutes while Police were in attendance. A further visit was made by Wiltshire police at 01:00 on 28<sup>th</sup> December 2014 and it was recorded that no door staff were on duty. Two disorders broke out and door supervisors from a nearby premises had to assist.

I note this is still occurring on a regular basis despite you receiving previous and ongoing advice and warnings from both the Licensing Authority and Wiltshire Police.

**The conditions on your Premises Licence state:**

- **On Friday & Saturday nights, Christmas Eve, Christmas Day, New Years Eve and New Years Day and all bank holidays, the licence holder is required to employ two SIA registered staff from midnight until 30 minutes after the end of the time permitted for licensable activities.**
- **And to employ an additional SIA staff member from 03:30 hrs until 30 minutes after the end of the time permitted for licensable activities.**

It is a legal requirement that all the terms of the Premises Licence are strictly complied with. The penalty for conviction of offences under the Licensing Act 2003 is up to £20,000 and/or 6 months imprisonment. Each day that you trade without addressing the current breaches of your license conditions constitutes a separate offence against section 136 of the Act.

Due to continual breaches of your Premises Licence Wiltshire Council are now considering the appropriate action to take.

Yours Sincerely

Teresa Bray  
**Public Protection Officer - Licensing**  
Tel. 01249 706413  
Email: [publicprotectionnorth@wiltshire.gov.uk](mailto:publicprotectionnorth@wiltshire.gov.uk)

cc. Wiltshire Police

# Witness Statement

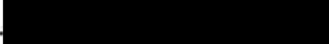
**STATEMENT OF: CARLA ELIZABETH ADKINS**

**Age of witness: over 18**

**Occupation of witness: Public Protection Officer – Licensing**

This statement consisting of 1 page each signed by me is true to the best of my knowledge.

Dated the 13<sup>th</sup> January 2015

Signature.....  .....

1. My name is Carla Adkins and I am employed by Wiltshire Council as a Public Protection Officer for Licensing. I have been working for the Council for 5 years. I am an authorised officer of Wiltshire Council.
2. At approximately 00.10hrs on Saturday 10<sup>th</sup> January 2015, I drove passed Best Favourite Chicken in Trowbridge. At this time there were no door staff present at the premises.
3. I continued driving and did a lap of the town. I drove passed Best Favourite Chicken again at approximately 00.15hrs and again there were no door staff.

Signature



dated

13/1/15



# Witness Statement


**STATEMENT OF: TERESA KATHRYN BRAY**

**Age of witness: over 18**

**Occupation of witness: Public Protection Officer – Licensing**

This statement consisting of 1 page each signed by me is true to the best of my knowledge.

Dated 3<sup>rd</sup> February 2015

Signature  .....

1. My name is Teresa Bray and I am employed by Wiltshire Council as a Public Protection Officer for Licensing. Part of my role is to investigate complaints relating to licences issued by the Council. I have been working for the Council for 7 years, almost 1 year as a full time Licensing Officer. I am an authorised officer of Wiltshire Council.
2. On the morning of Saturday 31<sup>st</sup> January 2015 I made a routine visit to observe the number of door stewards at Favourite Chicken and Ribs, 3 Market Street, Trowbridge, BA14 8EY.
3. I travelled past in my vehicle at 00:16 I slowed down so I could clearly see the inside of the premises and the surrounding area. I observed no door stewards working at the premises.

Signature 

dated

03/02/15







STATEMENT OF WITNESS  
C.J.A. Statement

(Criminal Procedure Rules, r 27.2); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)

STATEMENT OF GUY SHARP

Age of Witness: Over 18

(True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)

Occupation of Witness: Senior Environmental Health Officer

This statement, consisting of 2 pages 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 in it anything which I know to be false or do not believe to be true.

Dated the 17<sup>th</sup> day of February 2015

Signed



My name is Guy SHARP and I am a Senior Environmental Health Officer working for Wiltshire Council. I have been employed by the Council for five years and four months and have worked in the field of Food Safety and Health and Safety for three years. I have been qualified as an Environmental Health Officer for twelve years.

On 04 February 2015 I undertook a routine food hygiene inspection with my colleague James EDWARDS, Environmental Health Officer. At the time of the inspection Mr Ken OLMEZ was present on the premises and co-operated throughout the duration of the visit. There was no appropriate paperwork available at the time of my visit as required by food hygiene legislation and this issue has been raised by various officers from the Council over the period that Mr OLMEZ has been the registered Food Business Operator.


Signed..



Witnessed by..

The standard of cleaning throughout the premises was poor in places and again this has been raised by various officers over the period that Mr OLMEZ has been running the business.

I have enclosed with this statement a copy of the letter sent to Mr OLMEZ following my inspection and this also includes a photographic report highlighting the issues found during the inspection. As a consequence of the contraventions noted it is my intention to revisit the premises over the coming weeks in order to ensure compliance with the relevant legislation. I can confirm that at the time of the inspection there was no imminent risk to public health and therefore revisiting the premises is the most appropriate course of action in this instance.

Sign  .....

Witnessed by.....

Routine Food Hygiene Inspection – Best Favourite Chicken, 3 Market Street,  
Trowbridge – 04 February 2015



Photo 1

Damaged lid on  
chicken coating  
bowl



Photo 2

Scored and  
mouldy chopping  
board

Routine Food Hygiene Inspection – Best Favourite Chicken, 3 Market Street,  
Trowbridge – 04 February 2015



Photo 3

Scored and  
mouldy chopping  
board



Photo 4

Condition of  
replacement  
chopping board

Routine Food Hygiene Inspection – Best Favourite Chicken, 3 Market Street,  
Trowbridge – 04 February 2015

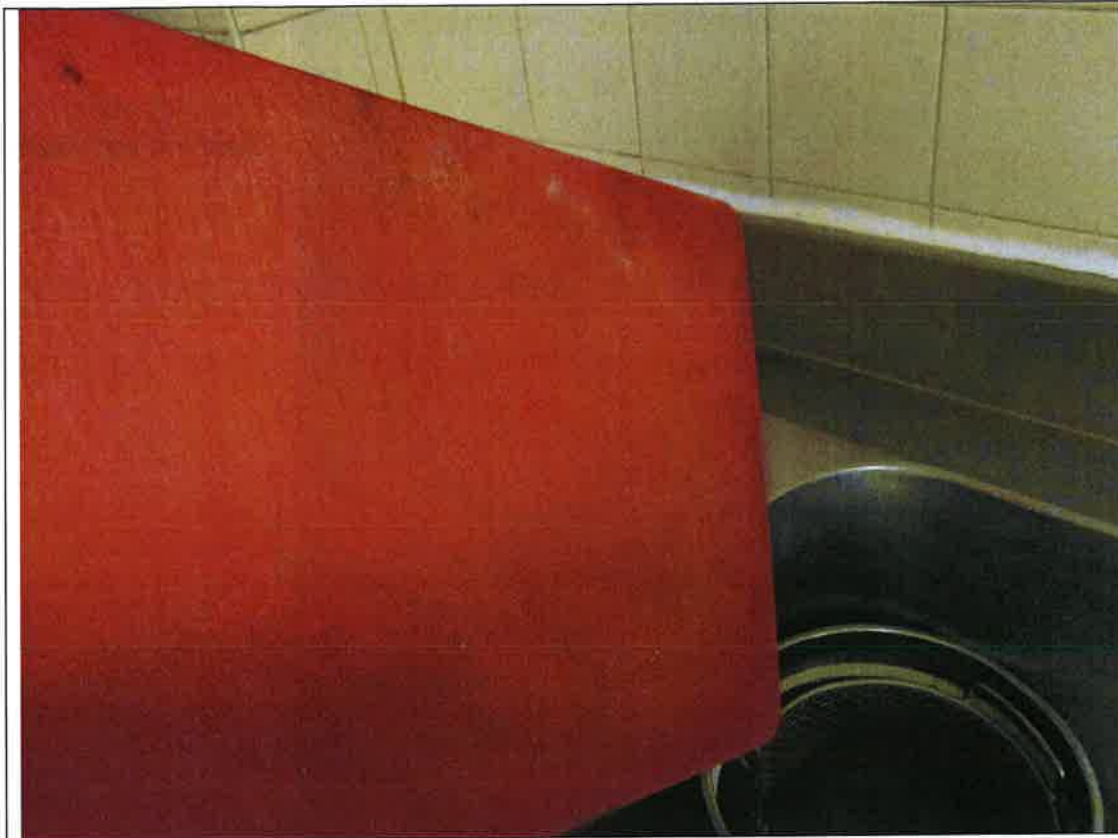


Photo 5

Condition of  
replacement board



Photo 6

Photo showing  
poor standard of  
cleaning around  
work surface legs  
and cardboard on  
floor

Routine Food Hygiene Inspection – Best Favourite Chicken, 3 Market Street,  
Trowbridge – 04 February 2015



Photo 7

Photo of poor cleaning standards



Photo 8

Photo showing cluttered area surrounding the wash hand basin

Routine Food Hygiene Inspection – Best Favourite Chicken, 3 Market Street,  
Trowbridge – 04 February 2015



Photo 9

Photo of poor  
housekeeping





# Witness Statement


**STATEMENT OF: TERESA KATHRYN BRAY**

**Age of witness: over 18**

**Occupation of witness: Public Protection Officer – Licensing**

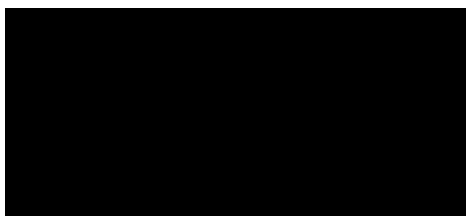
This statement consisting of 1 page each signed by me is true to the best of my knowledge.

Dated 9<sup>th</sup> February 2015

Signature  .....

1. My name is Teresa Bray and I am employed by Wiltshire Council as a Public Protection Officer for Licensing. Part of my role is to investigate complaints relating to licences issued by the Council. I have been working for the Council for 7 years, almost 1 year as a full time Licensing Officer. I am an authorised officer of Wiltshire Council.
2. On the morning of Saturday 7<sup>th</sup> February 2015 I made a routine visit to observe the number of door stewards at Favourite Chicken and Ribs, 3 Market Street, Trowbridge, BA14 8EY.
3. I travelled past in my vehicle at 00:13 I slowed down so I could clearly see the inside of the premises and the surrounding area. I observed no door stewards working at the premises. It was a clear night and there was one customer visible in the premises.

Signature



dated

09/02/15



# Witness Statement

**STATEMENT OF: LINDA VANESSA HOLLAND**


**Age of witness: over 18**

**Occupation of witness: Public Protection Team Leader – Licensing**

This statement consisting of 1 page each signed by me is true to the best of my knowledge.

Dated the 9<sup>th</sup> February 2015

Signature

- 
1. My name is Linda Holland and I am employed by Wiltshire Council as a Public Protection Team Leader for Licensing. I have been working for the Council for 26 years. I am an authorised officer of Wiltshire Council.
  2. On the evening of Saturday 7<sup>th</sup> February 2015, I was on duty with my colleague and Jemma Price who is a Public Protection Officer for Licensing. We were carrying out evening visits to a number of licensed premises in the West of the county.
  3. At approximately 00.45hrs on the morning of Sunday 8<sup>th</sup> 2015 we drove past Best Favourite Chicken and Ribs, 3 Market Street, Trowbridge, BA14 8EY.
  4. I was sat in the passenger seat of Jemma's car, we slowed down as we approached the premises to walking pace and I could clearly observe one door steward stood just inside the premise. The door steward was wearing a dark blue coat and hat I believe it to be the same steward I had previously spoken to on my November visit to the premise.
  5. No other door steward was visible in the premise.

Signature

dated

9<sup>th</sup> feb 2015



# Witness Statement


**STATEMENT OF: TERESA KATHRYN BRAY**

**Age of witness: over 18**

**Occupation of witness: Public Protection Officer – Licensing**

This statement consisting of 1 page each signed by me is true to the best of my knowledge.

Dated 2<sup>nd</sup> March 2015

Signature.  .....

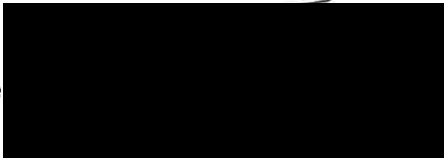
1. My name is Teresa Bray and I am employed by Wiltshire Council as a Public Protection Officer for Licensing. Part of my role is to investigate complaints relating to licences issued by the Council. I have been working for the Council for 7 years, almost 1 year as a full time Licensing Officer. I am an authorised officer of Wiltshire Council.
2. On the morning of Saturday 28<sup>th</sup> February 2015 I made a routine visit to observe the number of door stewards at Favourite Chicken and Ribs, 3 Market Street, Trowbridge, BA14 8EY.
3. I travelled past in my vehicle at 00:55 I slowed down so I could clearly see the inside of the premises and the surrounding area. I observed one door steward working at the premises. It appeared to be the same door steward that myself and my colleague Linda Holland spoke to when we visited the premises on 15<sup>th</sup> November 2015.
4. The door steward was stood behind the counter with the premises licence holder, Mr Olmez. Therefore, the door steward would have had to get out from behind the counter should any disorder break out.

Signature 

dated

02/03/15

Signature



dated

02/03/15

# Witness Statement

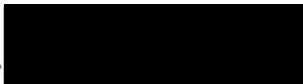
**STATEMENT OF: CARLA ELIZABETH ADKINS**

**Age of witness: over 18**

**Occupation of witness: Public Protection Officer – Licensing**

This statement consisting of 1 page each signed by me is true to the best of my knowledge.

Dated the 5<sup>th</sup> March 2015

Signature.....  .....

1. My name is Carla Adkins and I am employed by Wiltshire Council as a Public Protection Officer for Licensing. I have been working for the Council for 5 years. I am an authorised officer of Wiltshire Council.
2. Seven photographs taken of damaged windows at the front of Best Favourite Chicken and ribs on Market Street, Trowbridge at 07.37 on 4<sup>th</sup> March 2015.
3. The photographs show shattered glass being partially covered by advertising posters. The larger posters are positioned on the inside of the premises, whereas the smaller “just eat” poster/sticker is located on the outside of the glass and appears to be covering the point of impact from where the glass has shattered.
4. At the same time I also witnessed two blue notices displayed in a different window of the premises. One for a review and one for a variation of the premises licence.

Signature



dated

5/3/15







# Best Favourite Fried Chicken

Doner - Kebabs Burgers - Pizzas

Eat in or

Takeaway

Free Delivery

Free Delivery

Free Delivery

ORDER TAKEAWAY THE SMART WAY.

## Just-Fat

[www.just-eat.co.uk](http://www.just-eat.co.uk)

QUARTER POUNDER

WORLD

SOUTH

Peppercorn Chicken

## Just-Fat

[www.just-eat.co.uk](http://www.just-eat.co.uk)

Coffee Room

PIZZAS  
BURGERS  
KEBABS



# JUST

## www.just-

Thanks!  
You can also order from

**JUST  
EAT.CO  
UK**

Available on the App Store    ANDROID APP ON Google play

# QUARTER POUNDER



...of the

# SOUT

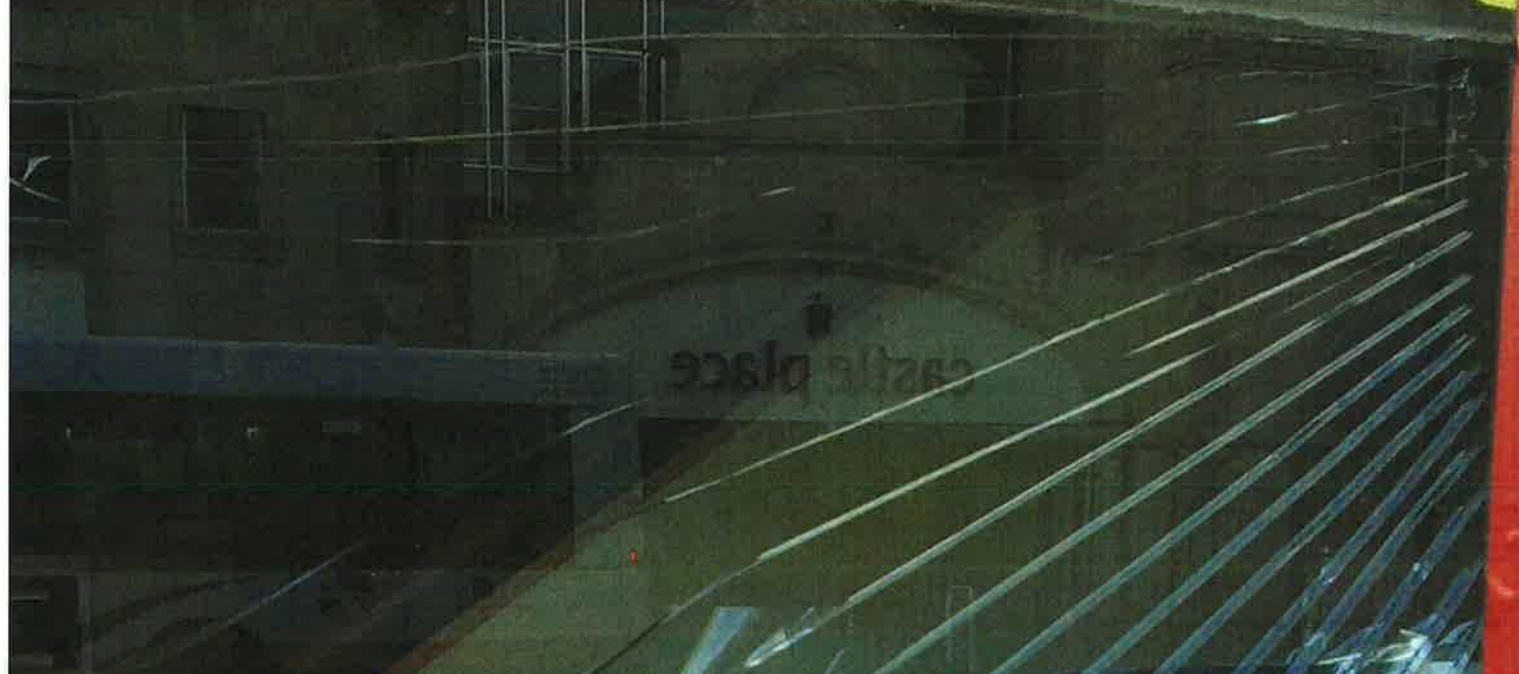
with our...

Southern Fried Crispy Chic



4/3/2015

WWW.



# QUARTER BOUNDER

Sp



4/3/2015

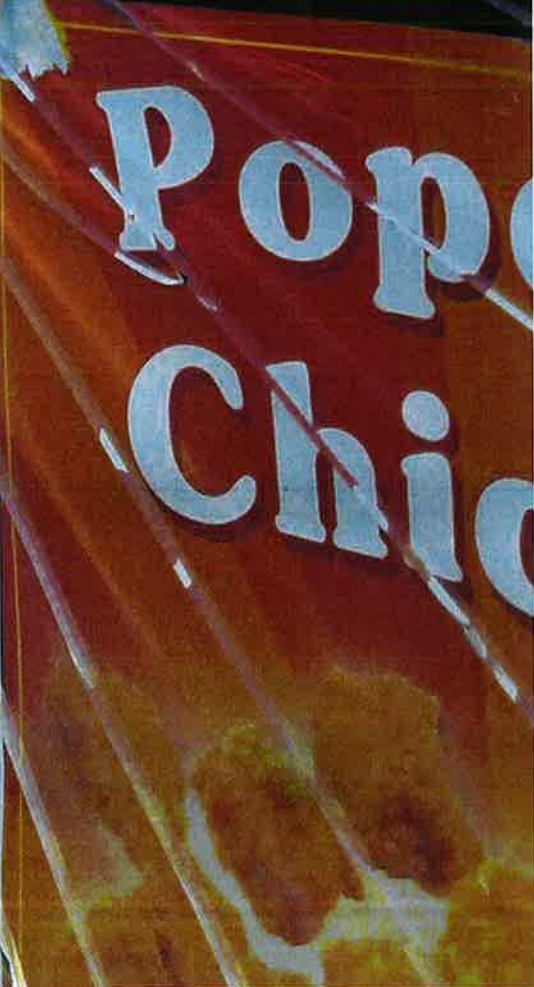
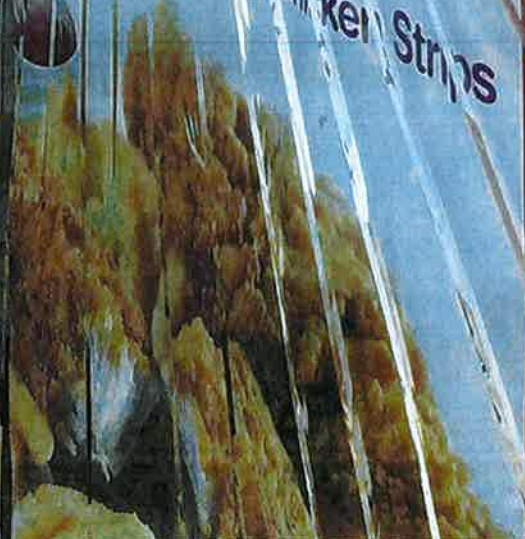
www.just-eat.co.uk

Thanks!  
You can also order from  
**JUST EAT** CO UK  
Available on the App Store and Google Play

QUARTER POUNDER

... of the  
**SOUTH**  
with our  
Southern Fried Crispy Chicken Strips

Popo  
Chic





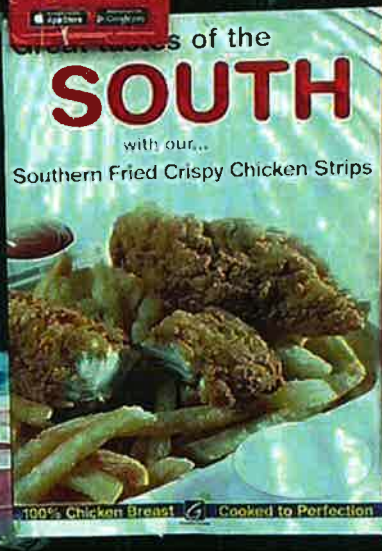
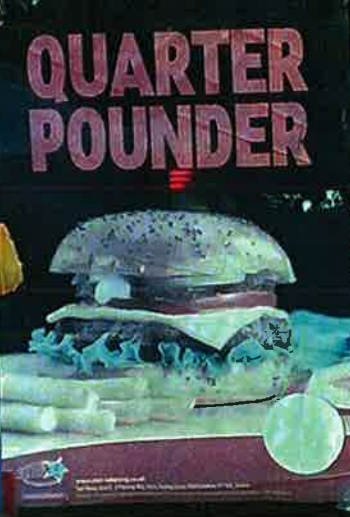


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THE SMART WAY.

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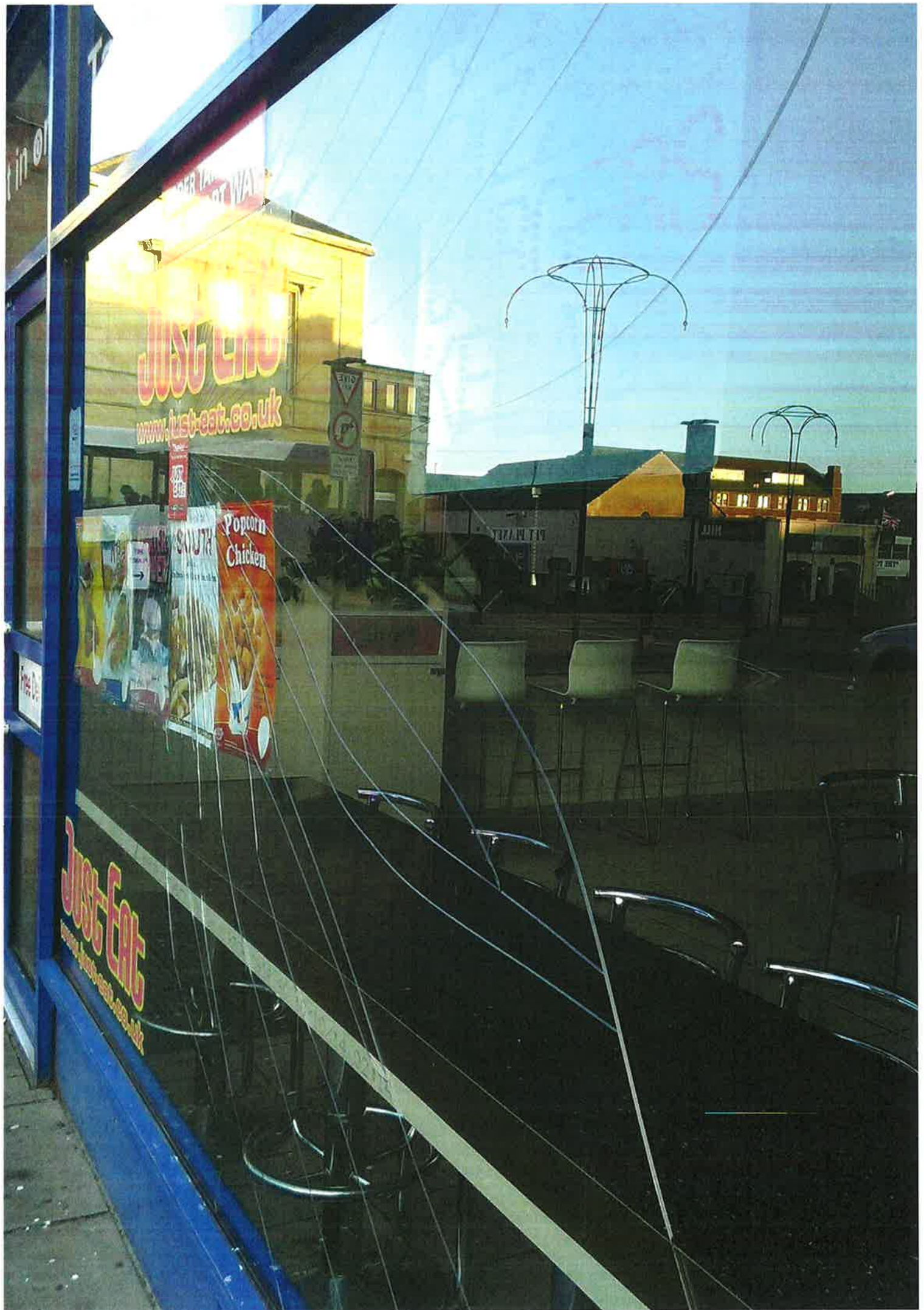
Thanks!  
You can also order from  
**JUST EAT**.co.uk  
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just-eat.co.uk





4/3/2015