

Appendix B

From: [Churchward, Gemma](#)
To: [Licensing \(RYE\)](#)
Subject: FW: New Premises - Malinka Shwarma, 37 Commercial Street Norton, Malton YO17 9HX
Date: 29 May 2024 14:21:11

Good Afternoon

In relation to the above premises application, below is an email chain between myself and the consultant where they have agreed to the further conditions I have suggested, which are detailed below and also in the below emails:

1. **The premises shall maintain a CCTV system which covers all areas of licensable activity that takes place and provide coverage of all entry/exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon receipt of a request by an authorized officer or the police or the local authority, subject to data protection requirements.**
2. **A premises incident / refusals register shall be kept. Such registers will record incidents of staff refusals to underage or drunk people as well as incidents of any alcohol related anti-social behaviour and ejections from the premises. These records shall be kept for a minimum of one year, (For the avoidance of doubt, the one year period relates to each respective entry and runs from the date of that particular entry).**
3. **A documented staff training programme shall be provided to all members of staff at the premises in respect of the:-**
 1. **operation of the CCTV system (including the downloading of evidence);**
 2. **retail sale of alcohol;**
 3. **age verification policy;**
 4. **conditions attached to the Premises Licence;**
 5. **permitted licensable activities;**
 6. **the licensing objectives; and**
 7. **opening times for the venue.**

with such records being kept for a minimum of one year. [For the avoidance of doubt, the one year period relates to each respective entry in the log book and runs from the date of that particular entry];

4. The consumption of alcohol is only permitted for those seated at the tables and specifically not to be used for "vertical drinking"

5. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.

6. A minimum of two SIA registered door staff will be employed at the premises on Friday and Saturday nights from 21:00 hours until the premises closes. At all other times this will be risk assessed by the DPS/manager on duty.

Kind Regards

Gemma

PC Gemma Churchward

Collar number 1160

Police Constable
Licensing Officer
NYP Licensing
Local Policing Support
North Yorkshire Police
Committed to the Code of Ethics
Dial 101, press option 2 and ask for me by my full name or collar number
If using my collar number please state each number individually
www.northyorkshire.police.uk

From: Tony Clarke [REDACTED]
Sent: Wednesday, May 29, 2024 12:47 PM
To: Churchward, Gemma [REDACTED]
Subject: Re: New Premises - Malinka Shwarma, 37 Commercial Street Norton, Malton YO17 9HX
Hi Gemma,
Many thanks for coming back to me.
My client has just agreed to all of the conditions including the use of SIA door staff as proposed.
Kind Regards
Tony Clarke
JMC Licensing
On Wed, 29 May 2024 at 11:34, Churchward, Gemma
[REDACTED] wrote:

Hi Tony
If you could add the following condition in relation to the SIA door staff, it would help to support the application.
A minimum of two SIA registered door staff will be employed at the premises on Friday and Saturday nights from 21:00 hours until the premises closes. At all other times this will be risk assessed by the DPS/manager on duty.

Best Regards
Gemma
PC Gemma Churchward
Collar number 1160
Police Constable
Licensing Officer
NYP Licensing
Local Policing Support
North Yorkshire Police
Committed to the Code of Ethics
Dial 101, press option 2 and ask for me by my full name or collar number
If using my collar number please state each number individually
www.northyorkshire.police.uk

From: tony clarke [REDACTED]
Sent: Tuesday, May 28, 2024 9:52 AM
To: Churchward, Gemma [REDACTED]
Subject: Re: New Premises - Malinka Shwarma, 37 Commercial Street Norton, Malton YO17 9HX
Hi Gemma,
As previously mentioned my client would prefer to have the additional hour at the weekend

and this can be supported with SIA door staff and/or shunt lock.

Please advise on the police stance in this regard ?

Thanks

Tony

Sent from my iPhone

On 28 May 2024, at 9:31 AM, Churchward, Gemma

[REDACTED] wrote:

Morning Tony

I wondered if you had spoken to your client about the conditions and terminal hour I suggested?

Best Regards

Gemma

PC Gemma Churchward

Collar number 1160

Police Constable

Licensing Officer

NYP Licensing

Local Policing Support

North Yorkshire Police

Committed to the Code of Ethics

Dial 101, press option 2 and ask for me by my full name or collar number

If using my collar number please state each number individually

www.northyorkshire.police.uk

From: Churchward, Gemma

Sent: Monday, May 20, 2024 12:25 PM

To: Tony Clarke [REDACTED]

Subject: RE: New Premises - Malinka Shwarma, 37 Commercial Street Norton, Malton YO17 9HX

Hi Tony

Thank you for your reply

When I spoke with Iona last week I mentioned about reducing the terminal hour to midnight and she was ok about this when I explained the reasons why.

As previously mentioned in my earlier email, the premises needs to promote the licensing objective, prevention of crime and disorder. There are six licensed premises nearby and they all close at 00:00 hours. There have been issues with crime and disorder linked to licensed premises there, and having a later terminal hour would potentially see additional incidents at this venue after other nearby venues close/there's more incidents later in the night meaning crime and disorder would be anticipated at an increased and unacceptable level if the premises remained open until 01:00 hours.

Based on the above North Yorkshire Police would still like the premises to have a terminal hour of midnight.

Best Regards

Gemma

PC Gemma Churchward

Collar number 1160

Police Constable
Licensing Officer
NYP Licensing
Local Policing Support
North Yorkshire Police
Committed to the Code of Ethics
Dial 101, press option 2 and ask for me by my full name or collar number
If using my collar number please state each number individually
www.northyorkshire.police.uk

From: Tony Clarke [REDACTED]
Sent: Monday, May 20, 2024 10:56 AM
To: Churchward, Gemma [REDACTED]
Subject: Re: New Premises - Malinka Shwarma, 37 Commercial Street Norton, Malton YO17 9HX

Hi Gemma,

The amendments to the conditions are all fine.

I will speak to my client about reducing the terminal hour and let you know how she feels about it. I know from my earlier conversations that she really wanted this time because of the client base.

They will be Eastern European and or Middle Eastern people attending who culturally like to socialise later on into the evening, so before I do make contact with her I wonder if there may be another way to allow the venue to stay open by offering up further conditions ?

le: A shunt lock on the front door **And / Or**
SIA Door Staff on a weekend?

Thanks

Tony

On Mon, 20 May 2024 at 10:48, Churchward, Gemma

[REDACTED] wrote:

Good Morning

I am the Police Licensing Officer for the Malton area and I am currently reviewing the application you submitted in relation to Malinka Shwarma. I spoke with Iona over the telephone briefly last week about some conditions and hours of opening for the premises but this was difficult due to her being abroad so I advised I would liaise with yourself about the application. On reviewing the application there are some conditions that I would suggest adding or expanding on. I have detailed below my suggested further conditions:

1. The premises shall maintain a CCTV system which covers all areas of licensable activity that takes place and provide coverage of all entry/exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon receipt of a request by an authorized officer or the police or the local authority, subject to data protection requirements.
2. A premises incident / refusals register shall be kept. Such registers will

record incidents of staff refusals to underage or drunk people as well as incidents of any alcohol related anti-social behaviour and ejections from the premises. These records shall be kept for a minimum of one year, (For the avoidance of doubt, the one year period relates to each respective entry and runs from the date of that particular entry).

3. A documented staff training programme shall be provided to all members of staff at the premises in respect of the:-
 1. operation of the CCTV system (including the downloading of evidence);
 2. retail sale of alcohol;
 3. age verification policy;
 4. conditions attached to the Premises Licence;
 5. permitted licensable activities;
 6. the licensing objectives; and
 7. opening times for the venue.

with such records being kept for a minimum of one year. [For the avoidance of doubt, the one year period relates to each respective entry in the log book and runs from the date of that particular entry];

1. The consumption of alcohol is only permitted for those seated at the tables and specifically not to be used for "vertical drinking"
2. A "Challenge 25" Policy shall be implemented in full and appropriate identification sought from any person who appears to be under the age of 25. The only acceptable forms of ID are photographic driving licences, passports, HM forces warrant cards, EU/EEA national ID card or similar document or a form of identification with the "PASS" hologram.

I noted on the application that the suggested closing time for the premises is 01:00 hours on a Friday and Saturday night. North Yorkshire Police would make a representation against this application were the supply of alcohol terminal hour not reduced to 00:00 hours. The premises needs to promote the licensing objective, prevention of crime and disorder. There are six licensed premises nearby and they all close at 00:00 hours. There have been issues with crime and disorder linked to licensed premises there, and having a later terminal hour would potentially see additional incidents at this venue after other nearby venues close/there's more incidents later in the night meaning crime and disorder would be anticipated at an increased and unacceptable level if the premises remained open until 01:00 hours.

Best Regards

Gemma

PC Gemma Churchward

Collar number 1160

Police Constable

Licensing Officer

NYP Licensing

Local Policing Support

North Yorkshire Police

Committed to the Code of Ethics

Dial 101, press option 2 and ask for me by my full name or collar number

If using my collar number please state each number individually

www.northyorkshire.police.uk

Internet email is not to be treated as a secure means of communication.

North Yorkshire Police monitors all internet email activity and content.

This communication is intended for the addressee(s) only.

Please notify the sender if received in error. Unauthorised use or

disclosure of the content may be unlawful. Opinions

expressed in this document may not be official policy.

Thank you for your co-operation.

Internet email is not to be treated as a secure means of communication.

North Yorkshire Police monitors all internet email activity and content.

This communication is intended for the addressee(s) only.

Please notify the sender if received in error. Unauthorised use or

disclosure of the content may be unlawful. Opinions

expressed in this document may not be official policy.

Thank you for your co-operation.

Internet email is not to be treated as a secure means of communication.

North Yorkshire Police monitors all internet email activity and content.

This communication is intended for the addressee(s) only.

Please notify the sender if received in error. Unauthorised use or

disclosure of the content may be unlawful. Opinions

expressed in this document may not be official policy.

Thank you for your co-operation.

Internet email is not to be treated as a secure means of communication.

North Yorkshire Police monitors all internet email activity and content.

This communication is intended for the addressee(s) only.

Please notify the sender if received in error. Unauthorised use or disclosure of the content may be unlawful. Opinions expressed in this document may not be official policy.

Thank you for your co-operation.

