



NOTICE OF RELEVANT REPRESENTATION FOR A PREMISES LICENCE UNDER THE LICENSING ACT 2003

North Yorkshire Police hereby give notice of objection to the Premises Licence as listed below:

| | |
|--|---------------------------------------|
| Postal Address of premises or club premises: Cecil's 7 Kimberlow Hill | |
| Post town: York | Post code (if known): YO10 5LA |

Notice of Objection relates to the following licensing objective: (Please tick one or more boxes)

| | |
|---|-------------------------------------|
| 1. The prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2. Public safety | <input type="checkbox"/> |
| 3. Prevention of Public Nuisance | <input type="checkbox"/> |
| 4. The protection of children from harm | <input type="checkbox"/> |

GROUND FORS FOR RELEVANT REPRESENTATION

Please provide as much information as possible to support this relevant representation:
(e.g. please list any additional information, e.g. dates of problems which are included in the grounds for review)

This application relates to a Premises Licence to supply alcohol and late night refreshment for a Pizza Grill and restaurant located on Kimberlow Retail Park York, which is located next to the University of York Heslington East campus.

As the Force Licensing Manager for North Yorkshire Police, I am delegated on behalf of the Chief Constable to respond to all applications under the Licensing Act 2003. In assessing this application, I have considered the Licensing objectives, particularly the Prevention of Crime and Disorder objective.

North Yorkshire Police do not support this application for a premises licence under Section 18(9) of the Licensing Act, as the applicant and proposed Designated Premises Supervisor Mr Deniz DURDU, it is believed would undermine the Crime Prevention Objective.

The Section 182 guidance para 4.39 states

"The Police may object to the designation of a new DPS where, in exceptional circumstances, they believe that the appointment would undermine the crime prevention objective. The police can object where, for example, a DPS is first specified in relation to particular premises and the specification of that DPS in relation to the particular premises gives rise to exceptional concerns."

I would refer members of the Licensing Committee to the statement of Detective Inspector Falkingham regarding the concerns North Yorkshire Police have in respect of Mr DURDU.

North Yorkshire Police have to be satisfied that an individual, who performs the role of a DPS, and who will ultimately have day-to-day management of the Premises and be the point of contact for responsible authorities, is able to

effectively promote the Licensing Objectives.

The statement of DI Falkingham highlights there are exceptional circumstances to consider in respect of Mr DURDU and his ability to perform the role of a Designated Premises Supervisor.

North Yorkshire Police have a duty of care to consider information in line with the Prevention of Crime and Disorder objective for Licensing Applications and it is for this reason the Police object to this application and would respectfully ask members of the Licensing Committee to reject this application.

Appendix 1 - Statement of Detective Inspector Falkingham

Signature:

Date: 10/10/19

Contact name: PS 133 Jackie Booth

Address for correspondence: **Alcohol Licensing Department Fulford Road Police Station**

Post town: **York**

Post code: **YO10 4BY**

Tel. number (if any): **01609 643273**

Email address if preferred option of contact: **NYPLicensing@northyorkshire.pnn.police.uk**

RESTRICTED (when complete)

MG11

APPENDIX -1

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement of: Michelle Mary FALKINGHAM

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Officer

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

Signature: M.Falkingham (witness)

Date: 09/10/2019

I am a Police Officer with North Yorkshire Police and I am making this statement in my capacity as an Intelligence manager.

On Wednesday 9th of October 2019 I was contacted by PS Booth who is the Licensing manager for North Yorkshire Police who informed me of a recent licensing application relating to a male called Deniz Ozgur DURDU dob 16/03/74 who was applying to become a Designated Premises Supervisor (DPS) for a premise called Cecil's at 7 Kimberlow Hill, York.
PS Booth was seeking advice regarding information and intelligence which North Yorkshire Police hold regarding Mr DURDU.

Owing to that intelligence I do believe granting this licence would be detrimental for the residents and visitors of York and we would be providing the applicant a platform; which would allow criminality to take place.

North Yorkshire Police have a duty of care for the Prevention of Crime and Disorder, public nuisance, public safety and to protect children from harm. Based on information and intelligence held by North Yorkshire Police a clear assumption can be drawn that this business venture is highly likely to support criminality which could have a detrimental effect on North Yorkshire Police communities.

There is intelligence that is corroborated from a number of different sources and is therefore weighted towards the information being highly likely to be correct. North Yorkshire Police are committed to treating information and intelligence with due diligence and protect the sensitivities that it brings.

Based on Intelligence known to Police I support PS Booth in opposing the application of Mr DURDU being a DPS.

Signature: M.FALKINGHAM

Signature witnessed by:



