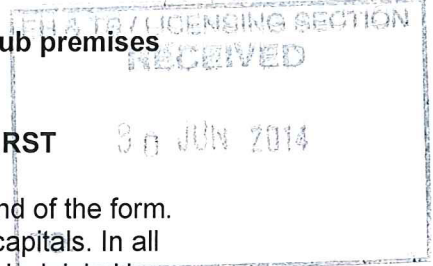


**Application for the review of a premises licence or club premises  
certificate under the Licensing Act 2003**



**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Police Inspector 0795 Nick SEMPER

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

**Part 1 – Premises or club premises details**

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

St Owens News  
53A St Owen Street

**Post town** HEREFORD

**Post code (if known)** HR1 2JQ

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

Anton Jeniward Nelson JESURASAN

**Number of premises licence or club premises certificate (if known)**  
PRO1565

**Part 2 - Applicant details**

I am

**Please tick yes**

1) an interested party (please complete (A) or (B) below)

- a) a person living in the vicinity of the premises
- b) a body representing persons living in the vicinity of the premises
- c) a person involved in business in the vicinity of the premises

- d) a body representing persons involved in business in the vicinity of the premises
- 2) a responsible authority (please complete (C) below)
- 3) a member of the club to which this application relates (please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)**

**Please tick**

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

**Please tick yes**

**Current postal address if different from premises address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address (optional)**

**(B) DETAILS OF OTHER APPLICANT**

**Name and address**

**Telephone number (if any)**

**E-mail address (optional)**

**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address Police Inspector 0795 Nick SEMPER Hereford Police Station Bath Street HEREFORD HR1 2HT
Telephone number (if any) 01432 347102
E-mail address (optional) licensing.herefordshire@westmercia.pnn.police.uk

**This application to review relates to the following licensing objective(s)**

Please tick one or more boxes

- |   |                                     |
|---|-------------------------------------|
| 1) the prevention of crime and disorder | <input checked="" type="checkbox"/> |
| 2) public safety                        | <input type="checkbox"/>            |
| 3) the prevention of public nuisance    | <input type="checkbox"/>            |
| 4) the protection of children from harm | <input type="checkbox"/>            |

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

For a number of months the city centre of Hereford has been plagued by an unacceptable level of alcohol related anti social behaviour and nuisance. Police enquiries established that a number of licensed venues were supplying alcohol to persons who were known to be involved in this behaviour.

This venue was identified as such a venue and was further established to be the main supplier of high strength canned alcohol (over 6.5AV) and large 3 litre bottles of alcohol to known 'street drinkers' who were making their purchase and then consuming the alcohol in public places causing crime and disorder issues.

Contact was made with the PLH for the venue and the situation was fully explained to him. This was followed up in writing with an expectation that he would promote the licensing objectives and support the police in dealing with these issues.

The PLH undertook a voluntary code not to sell alcohol prior to 0900hrs, not to sell single cans of alcohol and not to serve persons who were under the influence of alcohol.

The premises licence holder has failed to promote the licensing objective of the prevention of crime and disorder on the 09 June 2014 by knowingly supplying alcohol to a male that was drunk.



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

For a number of months the Hereford city centre and in particular public open spaces near to the Castle Pool – commonly known as the 'Duck Pond' – Cantilupe Street and the Castle Green Hereford, have been subject to a high level of alcohol related crime, disorder and nuisance.

A number of calls have been received from the public about the behaviour of males and females who have and were drinking in these areas and acting in a manner which was causing them alarm and distress.

These areas are subject to council order which prohibits the consumption of alcohol in public.

Since the beginning of 2014 in the region of 35 calls have been received from the public with regards to alcohol related disorder and nuisance in the area of the 'Duck Pond' and nearby streets. Some of these calls have been as early as 0700hrs – however the majority that were made between March and May were made between the hours of 0900hrs and 1300hrs.

In response to these issues, all these and other areas have been subject to a police patrol plan with the intention of deterring this conduct and dealing with offending behaviour in a positive manner.

Additionally a survey of the area near to the 'Duck Pond' showed a high level of empty canned super strength alcohol cans and large 3 litre flagons of alcohol (lager and cider) were left in the area. These items were traced back to two nearby venues – one being St Owens News in nearby St Owen Street.

A number of visits were made to St Owens News in order to assess what was being sold, who to and to give advice and support to the licence holder in order that he could promote the licensing objectives and support the police in addressing the issues that were caused by the sale of alcohol from the premises.

On the 25 April 2014, a visit was made to the venue and the issues were discussed with the licence holder. It was fully explained to him that the police believed that the sale of alcohol from his premises – and in particular the sale single cans of super strength alcohol and large bottles of alcohol - was contributing to crime, disorder and nuisance near to the store.

A discussion took place with regards to what the licence holder could do to further promote the licensing objectives and what he could do to assist the police in reducing the opportunity for further similar incidents occurring near to his venue.

At the time this conversation took place a member of the public was in the shop, he remained in the shop as the officers left, a short time later he came out and told the officers that he had spoken briefly to the licence holder as the officers left and that the licence holder had said that he would not be doing anything that was requested. This was immediately challenged by the officers who re-entered the premises, and the prior conversation with the customer was denied by the licence holder.

On the 02 May 2014, a letter was hand delivered concerning the premises requesting that they undertook a voluntary agreement not to stock and serve cans of alcohol over 6.5AV – commonly known as 'super strength', not to stock and supply large 3 litre bottles of alcohol and to not to replace such stock as it was replaced.

To a certain extent this letter was supported by the licence holder as during a further



police visit on 06 May 2014, staff stated that they were no longer selling alcohol prior to 0900hrs and not selling single cans of alcohol.

However the incidents being reported by the public concerning the 'Duck Pond' continued to be made and policed by officers.

At about 1100hrs on Monday 09 June 2014, an incident of alcohol related disorder took place in the grounds of Hereford Cathedral – this is a 5 minute walk from St Owen's News. A number of known 'street drinkers' had got into an altercation and were causing alarm and distress to the public. Officers dealt with this matter. However one male who, in the opinion of the officers was clearly drunk, was seen to walk away from the location in the direction of St Owen Street.

The officer followed him and he was seen to enter St Owen's News. As the officer followed him in, he observed the male attempting to pay for 4 cans of alcohol and a large 3 litre bottle of alcohol.

This was challenged by the officer as in his opinion the male was clearly drunk and this would have been obvious to the shop assistant.

As a consequence the male who was being served became aggressive and threatening to the officer, causing him to call for further police assistance. The male was arrested.

It is the view of the police that the premises licence holder has not effectively promoted the licensing objectives and that his conduct and that of his staff has contributed to the issues near to the shop

In order to promote the licensing objectives West Mercia Police request that you grant this review by putting in the following steps to promote the licensing objectives

1. Removal of Anton Jeniward Nelson JERURASAN as the designated premises supervisor
2. Reduce the operating hours for the supply of alcohol to 0900hrs to 1800hrs daily

Add additional licensing conditions

3. The premises licence holder is not to supply through sale any canned alcoholic drink above 6.5AV
4. The premises licence holder is not to supply through sale any alcoholic drink in bottle size of 3 litres
5. The premises licence holder is not to supply through sale any canned alcoholic drink in single units – i.e. either the sale of single cans, or the sale of anything less than four cans in a single sale.

**Please tick yes**

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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

Please tick yes

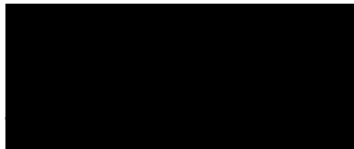
- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate X
- I understand that if I do not comply with the above requirements my application will be rejected X

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 3)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature



Date 25 June 2014

Capacity Police Inspector 0795

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

**Notes for Guidance**

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.