

West Mercia Police  
Territorial Policing Unit - Herefordshire  
Bath Street  
Hereford. HR1 1TA

**CERTIFICATE UNDER SECTION 53A(1)(b) OF THE LICENSING ACT 2003**

I hereby certify that in my opinion the premises described below are associated with ~~serious crime / serious disorder / both serious crime and serious disorder~~<sup>1</sup>.

*Premises*<sup>2</sup>:

Crown and Sceptre Public House  
Market Place  
Ross on Wye  
Herefordshire. HR9 5NX

Premises licence number (if known): PR000646

Name of premises supervisor (if known):

I am a Superintendent <sup>3</sup> in the West Mercia  
police force.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case, because<sup>4</sup>:

The police concerns over crime and disorder in and around this premises have been brought to the attention of the person in charge on 15/09/10 (follow up letter sent). The crime and disorder issues that are occurring have not stopped or reduced.

Serious disorder occurred on 02 October 2010 near to the premises, police

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<sup>1</sup> Delete as applicable.

<sup>2</sup> Include business name and address and any other relevant identifying details.

<sup>3</sup> Insert rank of officer giving the certificate, which must be superintendent or above.

<sup>4</sup> Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned.

entered the public house to make an arrest, the customers 'turned on the police' preventing and obstructing them from performing the duty.

The staff and responsible person on the premise were unable to prevent these actions and had no proper control over the running of the premises.

All other intervention by West Mercia Police in an effort to resolve issues at this premises have failed at this stage.

The alleged offences and incidents are so serious in their nature that it is not appropriate to pursue this matter by way of a review of the premise licence under section 51 of the Licensing Act 2003.

The closure order being sought are necessary for the promotion of the licensing objectives of the prevention of crime and disorder

..... Charles Will Sept 9.44 4<sup>10</sup>/10 .....  
(Signed) (Date)

## FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]

Herefordshire District Council

Licensing Section

County Offices

PO Box 233

Hereford.. HR1 2ZF

**Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)**

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 the 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.**

I, **James MOONEY** - Police Licensing Officer [on behalf of] the chief officer of police for the **West Mercia** police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

**1. Premises details:**

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**Crown and Sceptre Public House  
Market Place**

Post town: **Ross on Wye**

Post code (if known): **HR9 5NX**

**2. Premises licence details:**

Name of premises licence holder (if known): **Nicholas COUSENS**

Number of premises licence holder (if known): **HARTDC/07/0014**

**3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:**

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

*(Please tick the box to confirm)*

**4. Details of association of the above premises with serious crime, serious disorder or both:**

[Please read guidance note 2]

**This premises is a medium sized public house in the town centre of Ross on Wye.**

**The premises licence is in the name of Nicholas COUSENS.**

**The premises is owned by Nicholas and Angela COUSENS. They are believed to be living in the Hampshire area.**

**It is believed the premises is being 'managed' by a Claire DEEN, who holds a personal licence**

**West Mercia Police have been concerned for a number of months with the level of crime and disorder that is occurring in or near this premises.**

**On 15 September 2010, a joint visit was made to the premises by the Licensing Authority and West Mercia Police Licensing Officer. They spoke to a Ms Claire DEEN. She holds a personal licence and indicated that she is in the process of taking over the lease of the premises and therefore saw herself as being responsible for the running of the public house. Ms DEEN was informed by the police of their concerns and was put on notice that steps should be taken to prevent or reduce the number of incidents occurring in the premises or nearby that could be attributed to the public house. Ms DEEN was informed that the situation would be reviewed on the 15 October 2010. This was later confirmed in writing to her.**

**Serious disorder took place in Ross on Wye town centre during the evening of Saturday 02 October 2010. This resulted in officers entering the public house in order to effect an arrest. As a result of this a number of the customers interfered with the arrest, obstructed the officers and attempted to effect the release of the detained person. The staff and management of the premises were unable to prevent this happening. As a result of this issue and others which occurred nearby, Ms DEEN agreed voluntary to close the premises.**

**In 2010, there has been in the region of 20 crime and disorder incidents in or near the premises. 11 of these have taken place since the end of June 2010.**

**It is the view of the West Mercia Police that the alleged offences and the cumulative impact of the incidents are of a serious nature and that it is necessary to promote the licensing objectives, and in particular the prevention of crime and disorder.**

**In order to promote the licensing objectives, West Mercia Police are requesting that the Licensing Authority issue an order to close the premises with**

**immediate affect. This would allow a fuller review of the issues, management of the premises and the current premises licence.**

Signature of applicant:



Date: 04 October 2010

Capacity: Police Licensing Officer

**Contact details for matters concerning this application:**

Address: **West Mercia Police  
Territorial Policing Unit - Herefordshire  
Hereford Police Station  
Licensing Officer  
Bath Street  
Hereford. HR1 2HT**

Telephone number(s): 01432 347102

Email: [licensing.herefordshire@westmercia.pnn.police.uk](mailto:licensing.herefordshire@westmercia.pnn.police.uk)

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.