

**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 **[REDACTED]** **West Mercia Police**

*(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**

**The Ducker  
11 South Street  
Leominster  
Herefordshire**

**Post town Hereford**

**Post code (if known) HR6 8JA**

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

**Mrs Sian Dale Rooke-Jenkins (as listed on the premises licence)**

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

**PR00921**

**Part 2 - Applicant details**

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible  
authority (please read guidance note 1, and complete (A)  
or (B) below)

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 ✓ yes

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

**West Mercia Police**  
**Licensing Officer (Herefordshire)**  
**West Mercia Police**  
**Hereford Police Station**  
**Bath Street**  
**Hereford**  
**HR1 2HT**

Telephone number (if any)

[REDACTED]

E-mail address (optional)

[REDACTED]

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

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

Please state the ground(s) for review (please read guidance note 2)

**West Mercia Police are launching this review under the licensing objective, Prevention of Crime & Disorder due to an investigation by Police for a serious incident that happened on the premises on 11<sup>th</sup> August 2022 involving the partner of the licensee of the premises.**

**The incident has been investigated by West Mercia Police and referred to the Crown Prosecution Service (CPS) who have considered all the facts of the case and have made the decision that the suspect is to be charged with offences in connection with the incident.**

**Please provide as much information as possible to support the application (please read guidance note 3)**

**The incident of 11 August 2022, took place on a licenced premises known as The Ducker, 11 South Street, Leominster. HR6 8JA, whilst licensable activities were being undertaken.**

**The partner of the licensee and designated premises supervisor (DPS) was at the time of the offence on the premises behind the bar (though it is not known whether he was working or there in a personal capacity).**

**West Mercia Police have concerns as to the future conduct of the partner to the licensee and DPS and are not satisfied that this type of incident will not be repeated.**

**Based on these concerns, West Mercia Police feel and seek that the committee should relinquish all public facing duties during licensable hours for the partner of the licensee.**

tick ✓ yes

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

Please

If yes please state the date of that application

Day	Month	Year

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

**On 4 January 2019, the Licensing Authority launched a review under the licensing objective Prevention of Crime & Disorder, which West Mercia Police supported.**

**The premises licence holder and Designated Premises Supervisor (DPS) at the time was Mrs Sian Dale Rooke-Jenkins (as listed on the premises licence).**

**The nature of the review was as follows;**

**On three (3) separate occasions since June 2018, the premises licence holder has failed to comply with the CCTV condition on the premise licence which falls under the licensing objective Prevention of Crime & Disorder, despite receiving two warning letters from the authority. Under Section 136 of the Licensing Act 2003 it is an offence to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation (premises licence).**

**Following contact with West Mercia Police on 21st June 2018 and as part of the police proportionate investigation it was established that the CCTV for the 8th June 2018 had been recorded over**

**Following contact with West Mercia Police on 6th August 2018 it was established that an incident occurred at about 0050hrs on 29 July 2018. On the night the premise licence holder 'declined' (refused) to allow CCTV to be viewed and/or downloaded, although this was obtained a few days later, it didn't show the incident as the camera that would have recorded it, was 'damaged'.**

**Following further contact from West Mercia Police on 2nd January 2019, it was made known to us that at 2100hrs on 30th December 2018, an incident occurred at the premises which required the Police to access CCTV.**

**West Mercia Police Officers attended at 2248hrs on the same date. The owner/DPS did not know how to use the system - she had been drinking on the night. No one else at the premises was able to download**

**or operate the system.**

**The continual breach of the law in relation to the licence undermines the licensing objective – Prevention of Crime and Disorder**

**The review was heard at licensing sub-committee on 7 March 2019 and the decision of the committee was as follows:**

**The decision of the licensing sub committee was to allow the licence to remain in place with an addition condition re CCTV**

**tick yes**

**Please**

- 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
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature



.....  
.....

Date 19<sup>th</sup> December 2022

.....  
.....

Capacity **Constable**

.....  
.....

**Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)**

**Post town**

**Post Code**

**Telephone number (if any)**

**If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)**

#### Notes for Guidance

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