

**LICENSING ACT 2003
Part A - Premises Licence****Premises licence number – PR00921 (App to Review Premises Licence)****Part 1 - Premises details**

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

**THE DUCKER
11 SOUTH STREET**Post town **LEOMINSTER**Postcode **HR6 8JA**Telephone number **01568 610803**

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

**Live Music (Indoors)
Recorded Music (Indoors)
Late Night Refreshment (Indoors)
Sale/Supply of Alcohol (consumption on and off the premises)**

The times the licence authorises the carrying out of licensable activities

Live Music**Sunday – Thursday 20:00 – 23:00
Friday – Saturday 20:00 – 00:00****Recorded Music****Sunday – Thursday 19:00 – 23:00
Friday – Saturday 19:00 – 00:00****Late Night Refreshment****Friday – Saturday 23:00 – 00:00****Sale/Supply of Alcohol****Sunday – Thursday 11:00 – 00:00
Friday – Saturday 11:00 – 01:00**

The opening hours of the premises

**Sunday - Thursday 07:00 - 00:30
Friday – Saturday 07:00 - 01:30**

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

For consumption on and off the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

**Mrs Sian Dale Rooke-Jenkins
11 South Street
Leominster
Herefordshire
HR6 8JA**

Registered number of holder, for example company number, charity number (where applicable)

Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mrs Sian Dale Rooke-Jenkins

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**Licence number: PL2599
Issuing authority: Herefordshire Council**

Annex 1 - Mandatory conditions**Irresponsible Drinks Promotions**

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

Free Drinking Water

2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

Age verification

3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

Small Measures

4. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Below Cost Price

A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

Mandatory conditions where licence authorises supply of alcohol

No supply of alcohol may be made under the premises licence-

- (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Door supervision

Each individual required to carry out a security activity must be licensed by the Security Industry Authority

Annex 2 - Conditions consistent with the operating Schedule

Prevention of Crime

CCTV will be provided in the form of a recordable system, capable of providing pictures of EVIDENTIAL QUALITY in all lighting conditions particularly facial recognition. Cameras shall encompass all ingress and egress to the premises, fire exits, outside areas, and all areas where the sale/ supply of alcohol occurs. Equipment MUST be maintained in good working order, be correctly time and date stamped, recordings MUST be kept in date order, numbered sequentially and kept for a period of 31 days and handed to Police on demand. The Premises Licence Holder must ensure at all times a DPS or appointed member of staff is capable and competent at downloading CCTV footage in a recordable format EITHER DISC or VHS to the Police/Local Authority on demand. The Recording equipment and tapes/discs shall be kept in a secure environment under the control of the DPS or other responsible named individual. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant, in the event of any failings actions taken are to be recorded. In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Police on contact number 101 immediately

An incident log must be kept at the premises. Incident log records will be retained for a period of 12 months from the date it occurred. It will be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), an authorised Herefordshire Trading Standards Officer or the Police, which must record the following:

- (a) all crimes (relevant to the licensing objectives) reported to the venue
- (b) all ejections of patrons
- (c) any complaints (relevant to the licensing objectives) received
- (d) any incidents of disorder
- (e) seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment (if fitted)
- (h) any visit by a relevant authority or emergency service

All staff engaged in the sale of alcohol to be trained in Responsible Alcohol Retailing to the minimum standard of BIIAB 1 or any other equivalent training course within one month of the date this condition appears on the licence. All new staff shall be trained within one month of taking up employment. All staff shall be retrained six monthly thereafter. Training records shall be kept on the premises, which shall record the identity of the staff member, training received, and the date of that training. That record of training shall be made immediately available on request to an 'Authorised Person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer or the Police.

The Premises Licence Holder or DPS or a person nominated by them in writing will employ a minimum of one SIA door staff from 23:00 hours until the end of licensable activities on any day when regulated entertainment is taking place at the premises.

The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose will employ SIA door staff on a risk assessed basis. The risk assessment shall be in writing and shall be made immediately available on request to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.

The Premises Licence Holder or DPS or a person nominated by them in writing for the purpose, shall maintain a register of door supervisors which shall be kept on the premises showing the names and addresses of the door supervisors, their badge numbers and shall be signed by the door supervisors as they commence and conclude duty. The register shall be made available on demand for inspection by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003), or the Police or an authorised officer of the SIA.

The premises shall be an active member of any locally operating Pub Watch Scheme (e.g.HAND) while such a scheme or similar exists.

The DPS and all other staff shall ensure that no open vessels are taken off the premises by customers.

Public Safety

All staff shall wear clothing which identifies them as members of staff of the premises

First aid

A First Aid Kit capable of treating for 21-50 people shall be kept fully stocked at the premises and kept behind the bar. Such kit shall contain:

- 1 x Guidance Leaflet
- 60 x Wash proof Plasters
- 6 x Eye Pads with Bandage
- 8 x Triangular Bandages
- 12 x Safety Pins
- 16 x Assorted Sterile Dressings
- 20 Moist Wipes
- 3 Pairs Disposable Gloves

Electrical & Gas Installations

All electrical wiring and distribution systems shall be tested at least once a year and signed off by a competent person whose name is shown within the Local Authority Building Control Part P Competent Persons Register (<http://www.competentperson.co.uk/search.asp>). The sign off certificate shall be produced to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.

Any and all gas appliances (except cellar gas) used in the premises must be tested at least once a year and signed off by a competent person whose name appears within the current Gas Safety register (GSR). The sign off certificate shall be produced to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or Police on demand.

Hypnotism

The Licensed premises shall not be used for any exhibition, demonstration or performance of hypnotism unless the hypnotist has been licensed by the relevant Local Authority in England or Wales. Any performance must comply in accordance with any conditions attached to that licence.

Maintenance, Repair and Cleanliness

All parts of the premises and all fixtures and fittings therein including seating, door fastenings, notices, floors, carpets and furniture shall be kept clean and maintained in good order.

Special Effects

The installation and use of laser beams, pyrotechnics or real flames, explosive or highly flammable or smoke producing agent, for any purpose shall not be permitted without prior notification to the Licensing Authority. Notification, together with a detailed description of the method of use, shall be made to the Licensing Authority not less than 14 days prior to the day on which the laser equipment is to be used.

Strobe lights shall be operated on a fixed rate of not more than four flashes per second. Where more than one strobe light is used, the flashes shall be synchronised. In any case, such lights shall not be installed without notify the Licensing Authority in writing.

Disabled people

When disabled people are present, arrangements must exist to enable their safe evacuation in the event of an emergency. Details of the arrangements shall be recorded in writing and shall be made immediately available to an 'authorised person' (as defined by Section 13 of the Licensing

Act 2003) or the Police on demand.

Disabled people on the premises must be made aware of the evacuation procedure.

Lighting

In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be sufficient (107 lux or more) to enable people to move about safely.

Capacity limits

The maximum permitted numbers of persons in the premises including staff shall not exceed the numbers set within the fire risk assessment for the premises.

The Prevention of Public Nuisance

Noise or vibration shall not emanate from the premises so as to cause a nuisance.

The Premises Licence Holder or DPS must immediately comply with any request to adjust noise levels/ frequency spectra made by an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police.

All doors and windows at the premises shall be kept closed after 2300 except during immediate access and egress.

Live or Recorded music shall be restricted to the area marked on the premises plan

Any speaker within the premises shall be directed away from any residential property

Prominent, clear and legible signage (in not less than 32 font bold) shall be displayed at all exits to the premises requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Noxious smells

No noxious smell emanating from the premises shall cause a nuisance to nearby properties.

Light Pollution

Lighting outside premises including flashing lights shall not cause a nuisance to nearby properties, unless written consent has been obtained from the police to the effect that such lighting is necessary to promote the crime prevention objective

The Premises Licence Holder or DPS or the person in charge of the premises at the time, shall ensure that no alcohol is consumed in any external area of the licensed premises after 23:30 and that the doors to and from that area are kept closed except for immediate ingress and egress after this time.

No regulated entertainment shall be provided outside of the premises at any time.

The rear garden shall not be used by customers prior to 9am on any day.

There shall be no new entry or re-entry to the premises after 23:30 hours on any day except in an emergency in which case this will be logged. The log shall show the time of the incident, the emergency service attending and the type of incident. The log shall be made immediately available to an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or the Police on demand.

Protection of Children from Harm

No person under the age of 18 years shall be permitted to be on the premises after 2200 hours other than a member of staff employed at the premises or a child of the premises licence holder or DPS and then only when supervised by a person of 18.

The premises shall operate a Challenge 25 Policy. Such policy shall be written down and kept at the premises. The policy shall be produced on demand of an authorised person' (as defined by Section 13 of the Licensing Act 2003) or the police or an authorised Trading Standards Officer of Herefordshire Council. Prominent, clear and legible signage (in not less than 32 font bold) shall also be displayed at all entrances to the premises as well as at, at least one location behind any bar advertising the scheme operated.

A written or electronic register of refusals will be kept including a description of the people who have been unable to provide required identification to prove their age. Such records shall be kept for a period of 12 months. It will be collected and reviewed on a weekly basis by the Designated Premises Supervisor and produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) or an authorised Trading Standards Officer of Herefordshire Council on demand.

No adult entertainment or services or activities must take place at the premises (Adult Entertainment includes, but is not restricted to, such entertainment or services which would generally include topless bar staff, striptease, lap-table, or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language).

Annex 3 - Conditions attached after a hearing by the licensing authority 7th March 2019

DECISION

The decision of the licensing sub committee was to allow the licence to remain in place with the following additional conditions:

- The premises shall have a written log which deals purely with checks made to ensure the CCTV system is operating correctly. This log shall be completed prior to the premises opening for Licensable Activities and will have the following information written down in the log:-
 1. The date and time checked
 2. Name of person checking the system (In block capitals)
 3. The persons signature
 4. Whether the system is working correctly or not
 5. Where the system is not working correctly the details of the defect including the action taken to rectify the defect and the time frame for doing so.
 6. Prior to the premises opening any defect shall be reported to the police via email to licensing.herefordshire@westmercia.pnn.police.uk

The CCTV log shall be kept on the premises and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.

- All staff, prior to selling alcohol at the premises, must be trained in the use of the CCTV to a standard which ensures they can comply with the CCTV condition as shown on the licence. The training must be carried out by a professional company approved by the Licensing Authority. Training records shall be kept on the premises and shall be produced to the police or an 'authorised person' (as defined by Section 13 of the Licensing Act 2003) on demand.

Annex 4 - Plans

As attached

**LICENSING ACT 2003
Part B - Premises Licence Summary**

Premises licence number – PR00921 (App to Review Premises Licence)

Premises details

Postal address of premises, or if none, ordnance survey map reference or description THE DUCKER 11 SOUTH STREET	
Post town LEOMINSTER	Post code HR9 8JA
Telephone number 01568 614403	

Where the licence is time limited the dates Not applicable
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Licensable activities authorised by the licence Live Music (Indoors) Recorded Music (Indoors) Late Night Refreshment (Indoors) Sale/Supply of Alcohol (Consumption on and off the premises)

<u>Live Music</u>	
Sunday – Thursday	20:00 – 23:00
Friday – Saturday	20:00 – 00:00
<u>Recorded Music</u>	
Sunday – Thursday	19:00 – 23:00
Friday – Saturday	19:00 – 00:00
<u>Late Night Refreshment</u>	
Friday – Saturday	23:00 – 00:00
<u>Sale/Supply of Alcohol</u>	
Sunday – Thursday	11:00 – 00:00
Friday – Saturday	11:00 – 01:00

The opening hours of the premises Sunday - Thursday 07:00 - 00:30 Friday – Saturday 07:00 - 01:30

Name, (registered) address of holder of premises licence

**Mrs Sian Dale Rooke-Jenkins
11 South Street
Leominster
Herefordshire
HR6 8JA**

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

For consumption on and off the premises

Registered number of holder, for example company number, charity number (where applicable)

Not applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mrs Sian Dale Rooke-Jenkins

State whether access to the premises by children is restricted or prohibited

The Premise shall operate a Challenge 25 Policy

No adult entertainment or services or activities must take place at the premises