



Licensing (Liquor and Gambling) Panel – Wednesday 26th August 2020

Application for a Review of the Premises Licence at Green Dragon Hotel, 4 College Street, Higham Ferrers, NN10 8DZ

Purpose of report

Application to review the Premises Licence at Green Dragon Hotel, 4 College Street, Higham Ferrers, NN10 8DZ.

Attachment(s)

Appendix 1 - Application Form for Review
Appendix 2 - Map of Area
Appendix 3 - Representations
Appendix 4 - Current Licence

1.0 Summary

1.1 An application to review the Premises Licence at Green Dragon Hotel was received on 15th July 2020 from Adam French, Senior Environmental Health Officer, East Northamptonshire Council. The appropriate blue notice was displayed near to the premises at the front on College Street and to the rear on Midland Road during the required consultation period.

2.0 Application details

2.1 The matters for which a review to the premises licence are sought relate to public safety and the prevention of public nuisance. The request for the review relates to issues observed following the relaxation of Covid-19 lockdown rules on 4th July 2020 and complaints received thereafter.

3.0 Consultations

3.1 The following Consultations have been undertaken:

Child Protection	No representation
Fire	No representation
Police	Representation
Trading Standards	No representation
Revenues and Customs	No representation
Health Authority	No representation
Higham Ferrers Town Council	Representation
Environmental Protection	Representation
Planning Authority	No representation
Public	13 representations
Home Office (Immigration Enforcement)	No representation
Licensing (Local Authority)	Representation

3.2 Northamptonshire Police have submitted a representation. The representation relates to a visit made on 4th July 2020 and concerns raised during that visit. The representation can be seen in Appendix 3.

3.3 Higham Ferrers Town Council has submitted a representation. The representation

relates to comments received from local residents and their CCTV control unit regarding the behaviour in and around The Green Dragon Hotel. The representation can be seen in Appendix 3.

- 3.4 The Licensing Enforcement Officer of East Northamptonshire Council has submitted a representation. The representation relates to the visit made to the premises on 4th July 2020 and subsequent issues raised by other businesses in the area. The representation can be seen in Appendix 3.
- 3.5 The Environmental Protection Team from East Northamptonshire Council have made comments relating to complaints of noise and antisocial behaviour they have received and are in support of the review and proposed conditions. The representation can be seen in Appendix 3.
- 3.6 Thirteen local residents have made representations. One representation cites serious problems and another one comments about lack of policing. The remaining twelve relate to public safety, nuisance and anti-social behaviour surrounding their properties since the re-opening of The Green Dragon Hotel on 4th July 2020. The representations can be seen in Appendix 3.

4.0 Determination

- 4.1 The Panel must carry out its functions to promote the licensing objectives having regard to:
- The Licensing Act 2003
 - The Statement of Licensing Policy
 - S182 Guidance
- 4.2 The Act states that following a hearing the Panel may take the following actions if they deem them necessary to promote the licensing objectives:
- a) no action necessary as no steps required to promote the licensing objectives;
 - b) issuing an informal warning to the premises licence holder and/or to recommend improvement within a particular period of time. This Licensing Authority regards such warnings as important mechanisms for ensuring that the licensing objectives are effectively promoted and any warning issued will be in writing to the licence holder.
 - c) to modify the conditions of the premises licence (including adding new conditions, altering/omitting an existing condition);
 - d) excluding a licensable activity from the licence;
 - e) remove the designated premises supervisor;
 - f) suspend the licence for a period of up to three months;
 - g) to revoke the licence.

5.0 Policy Considerations

- 5.1 This section highlights the elements of the licensing policy that are most relevant with respect to this application. This is not exhaustive and the policy should be considered fully prior to making decisions with respect to applications:-
- 2.10 The objective of the licensing process is to allow for the carrying on of retail sales of alcohol and the prevention of public nuisance, prevention of crime and disorder, public safety and protection of children from harm. This Licensing Authority wishes to facilitate well run and managed premises with licence holders displaying sensitivity to the impact of the premises on local residents.
 - 2.13 In determining a licence application the overriding principle adopted by the Licensing Authority will be that each application will be determined on its merits. Only mandatory conditions and conditions relevant to the operating

plan will be imposed except where relevant representations against an application are received. Where relevant representations are received then further additional conditions to meet the licensing objectives may be added provided they are appropriate, proportionate and reasonable and deal with the issues raised. Licence conditions will not be imposed where other regulatory regimes provide sufficient protection to the public (e.g. Health and Safety at Work and Fire Safety legislation).

6.0 Section 182 Guidance Considerations

6.1 Sections 11.16 to 11.23 of the above guidance are particularly relevant to this application. This is not exhaustive and guidance should be considered fully prior to making decisions with respect to applications.

7.0 Committee Consideration

7.1 This Licensing Authority in determining what action to take will seek to establish the causes of concern and any action taken will be directed at these causes. Any action taken to promote the licensing objectives will be necessary and proportionate.

8.0 Legal Implications

8.1 A legal officer will be present at the hearing to outline any legal matters that need to be taken into consideration.

9.0 Equality and Diversity Implications

9.1 There are no equality and diversity implications.

10.0 Financial Implications

10.1 There are no financial implications arising from this report.

11.0 Staff

11.1 There are no staffing implications.

12.0 Risk Management

12.1 There are no material risks.

13.0 Corporate Outcomes

13.1 The following corporate outcomes would be delivered

- Good quality of life
- Effective partnership working
- Knowledge of our customers and communities

14.0 Invitation to determine

14.1 The panel is asked to consider the information detailed above and determine the review application.

Legal	Power: Licensing Act 2003				
	Other considerations: Section 182 Guidance Statement of Licensing Policy 2014-2019				
Background Papers: None					
Person Originating Report: Samantha Edmunds Health Protection Manager sedmunds@east-northamptonshire.gov.uk 01832 742030					
Date: 13 th August 2020					
CFO		MO		CX	

(Committee Report Normal Rev. 22)