



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 ADAM DAVID FRENCH

.....
(Insert name of applicant)

apply for the review of a premises licence under section 51 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 club premises, or, if none, ordnance survey map reference or description

**GREEN DRAGON HOTEL
4 COLLEGE STREET**

**Post town
HIGHAM FERRERS**

**Post code
NN10 8DZ**

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

MR PAUL NOLAN

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

15/01020/LAPNEW

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

Other title (e.g. Rev)

Surname

First Names

Please tick ✓ yes

I am 18 years old or over

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 (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

ADAM DAVID FRENCH
SENIOR ENVIRONMENTAL HEALTH OFFICER
HEALTH PROTECTION / ENVIRONMENTAL SERVICES
EAST NORTHAMPTONSHIRE COUNCIL
CEDAR DRIVE
THRAPSTON
NN14 4LZ

Telephone number (if any)

01832 742065

E-mail (optional)

afrench@east-northamptonshire.gov.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 type="checkbox"/> |
| 2) public safety | <input checked="" type="checkbox"/> |
| 3) the prevention of public nuisance | <input checked="" type="checkbox"/> |
| 4) the protection of children from harm | <input type="checkbox"/> |

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

My name is Adam David French and I am employed by East Northamptonshire Council as a Senior Environmental Health Officer. I am an Authorised Officer under the Health and Safety at Work etc. Act 1974 and regulations made thereunder. I am also an Authorised Officer under the Licensing Act 2003. I hereby call for a review of the Green Dragon Hotel, 4 College Street, Higham Ferrers, NN10 8DZ under the licensing objectives of:

- Public safety; and
- The prevention of public nuisance.

On Saturday 4th July 2020 the Green Dragon reopened following the relaxation of COVID-19 lockdown rules. I visited the premises at approximately 17:10 with my colleague Mrs Rita Groves, Licensing Enforcement Officer, and at that time witnessed behaviours that have resulted in the service of Improvement Notices and the calling of the review.

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

On Saturday 4th July 2020 the Green Dragon reopened following the relaxation of COVID-19 lockdown rules. I visited the premises at approximately 17:10 with my colleague Mrs Rita Groves (RG), Licensing Enforcement Officer. We initially drove into the pub car park accessed via the rear of the premises from Midland Road. It quickly became apparent that there was a large gathering of people, mainly in their twenties and thirties at the premises, both inside the building and outside in the large beer garden. I estimated that there were approximately 150 people in the garden. The outside bar area situated in the old stable block was open and it was evident that there was no social distancing in place and little appeared to have been done to minimise the risk of transmission of COVID-19 at the venue. There were large groups of people dotted on tables around the garden, the queues for the outside bar area were seven to eight people deep with no separation between individuals, there was loud music playing in the garden and groups of customers were entering and exiting the main building. Off the premises, on Midland Road leading into the car park I witnessed groups of customers with open containers of alcohol drinking in the street. In the car park, on the ground, there were numerous nitrous oxide canisters littering the area.

Having decided it wasn't safe to remain with our vehicles in this area we exited the car park and drove round to the Market Place. We parked the cars and proceeded on foot to the front of the Green Dragon on College Street. At approximately 17:30 I entered the premises via the courtyard whilst RG stayed on the road talking with colleagues on the phone to obtain contact details for the manager and DPS, Mrs Linda Morgan. I walked into the courtyard without noting any door staff or other employees and proceeded to walk through the area towards the garden. The courtyard area was full of groups of customers. During this time I attempted to take video footage of the area. I was quickly prevented from doing this by three male customers who took offence at me holding my phone up. They were clearly intoxicated; I could smell alcohol clearly on the breath of one of them who got right in my face and started to verbally assault me. I stated who I was and attempted to show my I.D. but this made no difference. The altercation nearly got physical when I noted a member of door staff and the manager Linda Morgan. I shouted to the customer to move away from me and then shouted to Mrs Morgan to tell her to get her customers to back off from me, which she did. Not feeling safe I asked her to meet me on College Street to talk. I was in the courtyard and next to the outside bar area situated in the old stable block for no more than four minutes. During that time I noted the complete lack of social distancing in front of the outside bar, the loud amplified music being played from a speaker situated at the end of the courtyard area and large groups of customers entering and exiting the main pub building by the side entrance into the courtyard and via a fire escape door at the rear of the building. I didn't manage to gain entrance to the main building but looking through the windows as I left the courtyard I could see the inside bar was packed. I returned to College Street followed by a door man and then Mrs Morgan. Mrs Morgan wanted us to go into the pub to talk about things in her office. Neither of us felt safe to do so. We declined the invitation and left at approximately 17:40.

RG called the Police as we were returning to her car. We visited another pub briefly and then sat in her vehicle on the Market Place writing notes and speaking on the phone to P.C. Dave Bryan and other work colleagues. During the time we were there we witnessed multiple groups of young people heading in the direction of the Green Dragon. A Police van arrived at approximately 18:35. It turned round in the Market Place and then parked up opposite the Green Dragon on College Street. Four officers got out and entered the premises. RG and I walked to the van and waited until the officers returned. I requested that an officer go back into the premises and take bodycam footage. P.C. Searle obliged and when she returned she reported that there were at least 200 people inside with a lot more outside and people queuing ten deep at the bar. The officers left at approximately 18:45 and we returned to RG's vehicle where we waited until P.C. Bryan arrived. We had a discussion about the premises and P.C. Bryan went into the premises to look for

himself. We left the vicinity after this. Whilst in the car we noted males who had been at the Green Dragon fighting in the street and also a couple coming from the Green Dragon who were so intoxicated that the female fell backwards and hit her head on the ground.

On Monday 6th and Tuesday 7th July 2020 this Department received emails from three local residents complaining about the Green Dragon over the preceding weekend. Their complaints were in relation to the lack of social distancing at the pub along with sustained anti-social behaviour. I have copied key portions of the emails below:

...concerned with the noise level and amount of people attending the green dragon pub. On Saturday evening again disturbed by the people leaving the pub and litter being thrown i.e. plastic pint glasses and bottles. I am aware that a lot of local people have been affected by this behaviour over the weekend. We really do feel that this is unacceptable.

This pub completely ignored the rules on reopening on Saturday. DJ with music and bouncers had no control over distancing as required by law. This pub has no interest in obeying the government guidelines and should be investigated

...the pub re-opened last Saturday 4 July. As early as 12.45pm, the beer garden picnic tables were all taken. By late afternoon most of these tables had been gathered together into big groups, so social distancing was effectively zero. It stayed that way until late into the night. Whatever lavatory facilities that the Green Dragon had in place were clearly inadequate. I don't think there was any extra capacity. Pub-goers were urinating everywhere. People were behaving like animals. They were allowed to take their alcoholic drinks off the Green Dragon property and hang around in groups on the land outside. All of the above anti-social activities are also guaranteed during any of the Green Dragon's special events, such as their Beer Festivals, where the sheer numbers of people are far too high for their facilities to cope, even in normal times. During the CV-19 pandemic, it could be down-right lethal.

I am dealing with the lack of COVID-related controls at the premises using powers granted to me under the Health and Safety at Work etc. Act 1974. Two Improvement Notices have been served on the company (see Appendix 1 and Appendix 2) requiring them to:

1. Undertake a suitable and sufficient assessment of the risks to the health and safety of your employees whilst they are at work and to those persons affected by your work activity in relation to the risk of transmission of COVID-19; and
2. implement all necessary measures to eliminate or control to a safe level all risks identified in the risk assessment.

As the COVID-related issues are being dealt with via the Improvement Notices I have included them as background information and they do not form part of this review. I do still have concerns under wider public safety at the premises in that on Saturday 4th July:

- There was inadequate control of customers entering and exiting the premises by College Street at the front and Midland Road at the rear.
- I witnessed a fight on the Market Square between males who had been at the Green Dragon. I know this because one of the individuals was the main antagonist when I was verbally assaulted in the courtyard of the pub.
- I witnessed clearly intoxicated customers leaving the premises. As stated one female was so drunk she fell backwards on the Market Square and hit the back of her head on the ground.

The other reason for calling the review is on the grounds of the prevention of public nuisance. I served a Community Protection Warning letter on the company following my visit highlighting my concerns at the premises (see Appendix 3). My concerns under this licensing objective are that on Saturday 4th July:

- Customers were leaving the rear of the premises with open containers of alcohol and then congregating in groups on Midland Road to continue drinking.
- There were clearly intoxicated customers leaving the premises.
- There was inadequate control of customers entering and exiting the premises by College Street at the front and Midland Road at the rear.
- Loud amplified music was being played in the garden that made it hard to talk at a normal volume.
- Customers had obviously been using nitrous oxide and there were canisters littering the car park.

I revisited the premises at approximately 19:00 on Saturday 11th July 2020 with RG and the Police to check on the company's progress with implementing better controls. The premises were being much better managed with door staff at the front of the premises on College Street and at the rear of the premises to prevent access from Midland Road. In addition to this there were door staff patrolling the inside of the pub and the beer garden and customers were being spoken to prior to leaving and being prevented from taking open containers of alcohol off site. There were around 80 customers on the premises whilst we were there. The outside bars were open but there were no queues. There was no music playing in outside areas. We left the premises at approximately 19:20.

I was initially going to ask the Licensing Panel to consider removing the DPS from the Premises Licence; however, given the co-operation from the DPS and the company to date and the improved circumstances at the premises I feel that this would be disproportionate at this time. I do still need to ensure that the premises upholds the licensing objectives moving forward so, given this, I would formally request the Licensing Panel consider adding the following conditions to the Premises Licence:

1. Door supervisors will be employed at the premises based upon a threat and risk assessment completed by the premises management. This assessment will be documented and include the rationale of how and why decisions have been made. A copy of this risk assessment must remain at the premises and be made available to an officer from a responsible authority upon reasonable request. At peak times and critical times when the licensing objectives are, or are likely to be challenged, door supervisors must be employed at the following ratio: 2 for the first 200 customers and 1 per 100 customers (or part thereof) thereafter.
2. All door supervisors must sign in on a register at the commencement of every duty. This register will contain the name, date of birth and full 16 digit SIA badge number of each security staff member on duty. The register must be fully maintained and kept on the premises at all times and must be made available to an officer from a responsible authority upon reasonable request. Records must be retained for at least 6 months.
3. At peak times and critical times, when the licensing objectives are, or are likely to be challenged, door supervisors must control customers entering and exiting the venue via College Street and/or Midland Road. For the purposes of this condition, control means:
 - Ensuring the number of customers on the premises does not exceed the ratio of 2 door supervisors for the first 200 customers and 1 additional door supervisor per 100 customers (or part thereof) thereafter.

- Reminding customers to leave the premises quietly and respect neighbours.
- Ensuring customers do not take open containers of alcohol or other drink off the premises.
- Assist in the removal of intoxicated customers.
- Refuse entry to the premises to anyone who is intoxicated or disruptive.

4. Customers must not leave the curtilage of the premises with any open containers of alcohol or other drink.
5. The outside bar area situated in the old stable block must close by 22:00.
6. There is to be no selling of alcohol in the outside areas of the premises apart from the outside bar area situated in the old stable block.
7. The playing of live amplified or recorded music, including the transmission of audio from inside the premises, is not allowed in any outdoor areas. For the purposes of this condition Section 177A of the Licensing Act 2003 (as amended) does not apply.
8. Music and associated sources of noise emanating from the inside areas of the premises are not to be audible in neighbouring properties.
9. The premises must have a documented drugs policy detailing the prevention, search, retention and disposal of illegal substances which will also include psychoactive substances. This document will be retained on the premises and must be made available to an officer from a responsible authority for inspection upon reasonable request.

Please tick ✓ yes

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

If yes, please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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
- 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 ...WEDNESDAY 15th JULY 2020.....

Capacity ...SENIOR ENVIRONMENTAL HEALTH OFFICER.....

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 please provide your email address

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.

Please **post** this form and any supporting documentation to:

Central Licensing Administration Unit
Cedar Drive
Thrapston
Northamptonshire NN14 4LZ

Phone: 01832 742102

Website: www.northantslicensing.gov.uk



East
Northamptonshire
Council

Cedar Drive Thrapston Northamptonshire NN14 4LZ
Telephone 01832 742000
Email healthprotection@east-northamptonshire.gov.uk
www.east-northamptonshire.gov.uk

COPY

Health and Safety at Work etc. Act 1974
Sections 21, 23 and 24

IMPROVEMENT NOTICE

Serial No: 20/HSW/21/079

To: **Wexford Inns Limited**

Of: **95A Mitcham Lane, London, SW16 6LY**

I **ADAM DAVID FRENCH**
SENIOR ENVIRONMENTAL HEALTH OFFICER

OF: East Northamptonshire District Council, East Northamptonshire House, Cedar Drive, Thrapston, Northamptonshire NN14 4LZ - Tel: 01832 742000

hereby give you notice that I am of the opinion that at: **GREEN DRAGON, 4 COLLEGE STREET, HIGHAM FERRERS, NORTHAMPTONSHIRE, NN10 8DZ**, you as an employer are contravening **REGULATIONS 3(1) AND 3(6) OF THE MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS 1999 AND SECTIONS 2(1) AND 3(1) OF THE HEALTH AND SAFETY AT WORK ETC ACT 1974.**

The reasons for my said opinion are stated in **SCHEDULE 1** which forms part of the notice and I hereby require you to remedy the said contraventions or, as the case may be, the matter occasioning them by **THURSDAY 6 AUGUST 2020** in the manner stated in **SCHEDULE 2** which forms part of the notice.

Signed: _____

Date: Wednesday 8 July 2020

being an inspector appointed by an instrument in writing made pursuant to Section 19 of the said Act and entitled to issue this notice.

East Northamptonshire District Council

East Northamptonshire House, Cedar Drive, Thrapston, Northamptonshire, NN14 4LZ
Tel: 01832 742055, Fax: 01832 734839, E-mail: HealthProtection@east-northamptonshire.gov.uk

Improvement Notice Notes

1. Failure to comply with this Improvement Notice is an offence as provided by section 33(1)(g) of the Health and Safety at Work etc Act 1974 and section 33(2) and Schedule 3A of this Act renders the offender liable on summary conviction to imprisonment for a term not exceeding 6 months, or to a fine, or both, or, on conviction on indictment, to imprisonment for a term not exceeding 2 years, or a fine, or both.
2. An inspector has power to withdraw an Improvement Notice, or extend the period specified in the notice, before the end of the period specified in it. If you wish this to be considered you should apply to the inspector who issued the notice, but you must do so before the end of the period given in it. Such an application is not an appeal against this notice.
3. The issue of this notice does not relieve you of any legal liability for failing to comply with any statutory provisions referred to in the notice or to perform any other statutory or common law duty resting on you.
4. You can appeal against this notice to an Employment Tribunal. Details of the method of making an appeal can be found on the GOV.UK website at <https://www.gov.uk/employment-tribunals/make-a-claim>. An appeal can either be submitted online at the above website address, or by downloading form ET1 and posting it to the Employment Tribunal Central Office, PO Box 10218, Leicester, LE1 8EG.

If you do not have access to the internet, contact the person who issued the Notice and ask to be supplied with a hard copy of form ET1 and guidance T420: Making a claim to an Employment Tribunal.

The limit for appeal

A notice of appeal must be presented to the Employment Tribunal within 21 days from the date of service on the appellant of the Notice, or Notices, appealed against, or within such further period as the tribunal considers reasonable in a case where it is satisfied that it was not reasonably practicable for the notice of appeal to be presented within the period of 21 days.

The entering of an appeal suspends the Improvement Notice until the appeal has been determined or withdrawn, but does not automatically alter the date given in this notice by which the matters contained in it must be remedied.

The rules for the hearing of an appeal are given in The Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 (SI 2013 No. 1237).

Public Registers of Enforcement Notices under the Environment and Safety Information Act 1988

1. Under the requirements of the Environment and Safety Information Act 1988, East Northamptonshire District Council maintains public registers of information on notices which do not impose requirements or conditions solely for the protection of persons at work. These are called "relevant notices" under this Act and will be identified by the inspector serving the notice (see overleaf). Entries will be kept in the public register for a period of at least 3 years.
2. The entry in the register will be made within 14 days either of the expiry of the right of appeal or of the disposal of an appeal. Where a notice is cancelled on appeal no entry will be made. Where an inspector is satisfied that a notice has been complied with, a further entry will be made in the register within 7 days to show this. If a notice is withdrawn or amended the entry on the register will be withdrawn or amended within 7 days.
3. The entry on the register will normally be the front page of this notice form. If you think that the entry for this notice would disclose information about a trade secret or secret manufacturing process, you should give written notice to the Council within 14 days. The Council will then draft an entry which it believes will not reveal the secret and serve this on you. In the meantime, the entry in the register will specify only your name and address, any place involved and the relevant legal provisions.
4. If you are not satisfied with the redrafted entry you have a further right of appeal to the Secretary of State within 14 days. The Council will give you further information about appeals to the Secretary of State at this time.

East Northamptonshire District Council

East Northamptonshire House, Cedar Drive, Thrapston, Northamptonshire, NN14 4LZ
Tel: 01832 742055, Fax: 01832 734839, E-mail: HealthProtection@east-northamptonshire.gov.uk

Reference no: 20/HSW/21/079 Schedule 1

IMPROVEMENT NOTICE

Health and Safety at Work etc. Act 1974
Sections 21, 23 and 24

COPY

To: **Wexford Inns Limited**

Of: **95A Mitcham Lane, London, SW16 6LY**

Trading as: **Green Dragon, 4 College Street, Higham Ferrers, NN10 8DZ**

SCHEDULE 1

The matters which constitute your failure to comply are:

You have not carried out a suitable and sufficient assessment of the risks to the health and safety of your employees whilst they are at work and to those persons affected by your work activity in relation to the risk of transmission of COVID-19 at the Green Dragon, 4 College Street, Higham Ferrers, NN10 8DZ.

The following hazards relating to the potential transmission of COVID-19 were noted during my visit to the premises on Saturday 4 July 2020:

- The inside areas of the premises were full of customers and no effective social distancing was observed.
- Groups of customers were crowding for the outside bars situated in the barn with no social distancing taking place.
- Loud amplified music was being played outside to the rear of the main building resulting in voices needing to be raised to be heard.
- Large groups of individuals were congregating in the garden area around tables with no effective social distancing being observed.
- Many customers were clearly intoxicated lowering their awareness for the need to socially distance.
- Employees were in regular close contact with multiple customers with no effective social distancing.
- There was insufficient instruction for customers to remain socially distanced; both written and verbal.

- **The number of customers inside and outside indicates that no effective assessment of capacity had been undertaken taking into account social distancing and other controls to reduce the risk of transmission of COVID-19.**
- **There were no effective one way travel routes inside or outside the venue resulting in staff and customers regularly passing other people at pinch points such as the bars and entrances / exits.**
- **No thought had been put into reducing the need for customers to queue at bars or other pinch points.**
- **There was no control over customers entering or exiting the premises. At the time of my visit there were no door staff at the rear entrance to the premises. When I first entered the front of the premises through the courtyard there were also no door staff controlling entry.**
- **There was no obvious hand sanitiser at any of the entrances to the venue.**

Reference no: 20/HSW/21/079 Schedule 2

IMPROVEMENT NOTICE

Health and Safety at Work etc. Act 1974
Sections 21, 23 and 24

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Of: **95A Mitcham Lane, London, SW16 6LY**

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SCHEDULE 2

In my opinion to remedy the contravention you must:

1. Carry out an appropriate COVID-19 risk assessment indicating the risks to your employees and other people affected by your business (including customers, neighbours, delivery drivers, contractors and other self-employed persons).
2. Record the significant findings of the assessment.

Note – In order to undertake your assessment you must have regard to Government COVID-19 secure guidance for employers, employees and the self-employed.



Cedar Drive Thrapston Northamptonshire NN14 4LZ
Telephone 01832 742000
Email healthprotection@east-northamptonshire.gov.uk
www.east-northamptonshire.gov.uk

COPY

Health and Safety at Work etc. Act 1974
Sections 21, 23 and 24

IMPROVEMENT NOTICE

Serial No: 20/HSW/21/080

To: **Wexford Inns Limited**

Of: **95A Mitcham Lane, London, SW16 6LY**

I **ADAM DAVID FRENCH**
SENIOR ENVIRONMENTAL HEALTH OFFICER

OF: East Northamptonshire District Council, East Northamptonshire House, Cedar Drive, Thrapston, Northamptonshire NN14 4LZ - Tel: 01832 742000

hereby give you notice that I am of the opinion that at: **GREEN DRAGON, 4 COLLEGE STREET, HIGHAM FERRERS, NORTHAMPTONSHIRE, NN10 8DZ**, you as an employer are contravening **REGULATION 4 OF THE MANAGEMENT OF HEALTH AND SAFETY AT WORK REGULATIONS 1999 AND SECTIONS 2(1) AND 3(1) OF THE HEALTH AND SAFETY AT WORK ETC ACT 1974.**

The reasons for my said opinion are because **preventative and protective measures have not been implemented based on the findings of a suitable and sufficient risk assessment at the above premises in relation to the risk of transmission of COVID-19** and I hereby require you to remedy the said contraventions or, as the case may be, the matter occasioning them by **THURSDAY 6 AUGUST 2020** in the manner stated in the attached **SCHEDULE** which forms part of the notice.

Signed: _____

Date: Wednesday 5th July 2020

being an inspector appointed by an instrument in writing made pursuant to Section 19 of the said Act and entitled to issue this notice.

East Northamptonshire District Council

East Northamptonshire House, Cedar Drive, Thrapston, Northamptonshire, NN14 4LZ
Tel: 01832 742055, Fax: 01832 734839, E-mail: HealthProtection@east-northamptonshire.gov.uk

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3. The issue of this notice does not relieve you of any legal liability for failing to comply with any statutory provisions referred to in the notice or to perform any other statutory or common law duty resting on you.
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East Northamptonshire District Council

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Tel: 01832 742055, Fax: 01832 734839, E-mail: HealthProtection@east-northamptonshire.gov.uk

Reference no: 20/HSW/21/080 Schedule 1

IMPROVEMENT NOTICE

Health and Safety at Work etc. Act 1974
Sections 21, 23 and 24

COPY

To: **Wexford Inns Limited**

Of: **95A Mitcham Lane, London, SW16 6LY**

Trading as: **Green Dragon, 4 College Street, Higham Ferrers, NN10 8DZ**

SCHEDULE OF WORKS

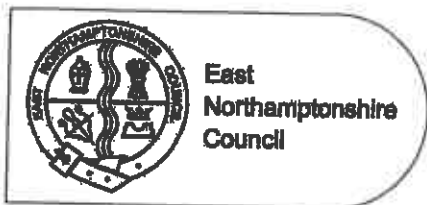
In my opinion to remedy this contravention you must:

- (1) Implement all necessary measures to eliminate or control to a safe level all risks identified in the risk assessment;

You must ensure that the principles described below are followed when completing (1) above:

- (a) avoiding the risks;
- (b) evaluating the risks which cannot be avoided;
- (c) combating the risks at source;
- (d) adapting the work to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working production methods, with a view, in particular, to alleviating monotonous work and work at a predetermined work-rate and to reducing their effect on health;
- (e) adapting to technical progress;
- (f) replacing the dangerous by non-dangerous or the less dangerous;
- (g) developing a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment;
- (h) giving collective protective measures priority over individual protective measures; and
- (i) giving appropriate instructions to employees.

This Notice must be completed in conjunction with Notice Number 20/HSW/21/079.



Cedar Drive Thrapston Northamptonshire NN14 4LZ
 Telephone: 01832 742065
 Email: healthprotection@east-northamptonshire.gov.uk
 Website: www.east-northamptonshire.gov.uk

Wexford Inns Limited
 95A Mitcham Lane
 London
 SW16 6LY

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For the attention of The Company Secretary

Please ask for Adam French Health Protection	Direct Dial (01832) 742065 (01832) 742263	Our Ref. AF/SMG	Your Ref.	Date: 08 July 2020
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Dear Sir

**Anti-social Behaviour Crime and Policing Act 2014 Section 43
 Community Protection Notice – Formal Written Warning
 Green Dragon, 4 College Street, Higham Ferrers, NN10 8DZ**

I have reasonable grounds to be satisfied that the activities and your conduct, as described below, are having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality.

I am also satisfied on reasonable grounds that this conduct is unreasonable.

The activities are:

On Saturday 4 July 2020 I witnessed anti-social behaviour and general nuisance at the Green Dragon specifically:-

- Customers leaving the rear of the premises with open containers of alcohol and then congregating in groups on Midland Road to continue drinking;
- Intoxicated customers leaving premises;
- Inadequate control of customers entering and exiting the premises by College Street at the front and Midland Road at the rear;
- Loud amplified music in the garden that made it hard to talk at a normal volume;
- Used nitrous oxide canisters littering the car park.

This is in addition to complaints received by this department from local residents concerning the activities at the Green Dragon on Saturday 4 July 2020.

Continued...

Council for the District of East Northamptonshire
www.east-northamptonshire.gov.uk

You must take steps to prevent the detrimental effect from continuing or recurring, and reduce the likelihood of a repeated incident.

You are required to take the following steps. (For the purpose of this Community Protection Warning a public place is anywhere that is open to the air and that the public have access to.)

- 1. Ensure that whenever the premises are open you have adequate staff, either directly or indirectly employed by Wexford Inns Limited, to control customers entering and exiting the venue via College Street and/or Midland Road.**
- 2. Adequately assess and put in place procedures to limit the total number of customers indoors and outdoors based on the number and availability of staff to control entrances and exits to the venue via College Street and/or Midland Road. Consideration must also be given to other factors that may affect total capacity of the venue.**
- 3. Prevent customers leaving the curtilage of the property with any open containers of alcohol.**
- 4. Limit amplified music in outdoor areas of the premises to a level that does not interfere with people conducting normal conversation whilst observing social distancing (2 metres).**
- 5. Prevent the use of nitrous oxide or any other substance on the premises, excluding alcohol, which may result in anti social behaviour.**

These requirements must be followed from the date of this letter. You have a right to carry out other steps than those detailed above. However, you should confirm any alternative with the officer named in this letter to ensure that those steps comply with the requirements of this letter.

A written warning must be sent to an individual or company prior to a Community Protection Notice being issued. This letter serves that purpose. Should further anti-social behaviour be witnessed by officers of this department a Community Protection Notice will be served on you.

This written warning offers you the opportunity to avoid being issued a Community Protection Notice. If you fail to comply with this Warning Letter a Community Protection Notice may be issued without further warning. Non-compliance with a Community Protection Notice carries criminal sanctions and can lead to a criminal record.

A breach of CPN is a criminal offence and can result in:

- A fixed penalty notice not exceeding £100;**
- A fine at level 4 in the Magistrates Court;**
- Seizure and forfeiture of items, default works and recovery costs.**

Yours faithfully

**Adam French
Senior Environmental Health Officer**

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