

**LICENSING (LIQUOR AND GAMBLING) PANEL**

**Date:** 26 August 2020  
**Venue:** Virtual Meeting  
**Time:** 10.00 am  
**Present:** Councillors: Steven North  
Peter Wathen  
Colin Wright

**1. APPOINTMENT OF CHAIRMAN**

**RESOLVED:**

That Councillor Peter Wathen be appointed Chairman of the Panel for this hearing.

**2. APOLOGIES FOR ABSENCE**

No apologies for absence were received.

**3. DECLARATIONS OF INTEREST**

Councillor Colin Wright declared that one of the public speakers and the people that he was representing were known to him.

**4. REVIEW OF THE PREMISES LICENCE FOR GREEN DRAGON HOTEL, 4 COLLEGE STREET, HIGHAM FERRERS, NN10 8DZ**

The Health Protection Manager reported that an application to review the Premises Licence at the Green Dragon Hotel, College Street, Higham Ferrers had been received on 15 July 2020 from the Senior Environmental Health Officer, East Northamptonshire Council. The appropriate Blue Notice had been displayed near to the premises at the front on College Street and to the rear on Midland Road during the required consultation period.

The matters for which a review was sought related to public safety and the prevention of public nuisance. The request for the review related to issues observed following the relaxation of Covid-19 lockdown rules on 4 July 2020 and the complaints received thereafter.

Representations had been received from Northamptonshire Police, Higham Ferrers Town Council, ENC Licensing Enforcement Officer, ENC Environmental Protection and 13 local residents.

Having heard from all parties and carefully considered all of the information available, the Panel **RESOLVED:**

The Licensing Panel has considered this application for a Review of the Premises Licence for Green Dragon Hotel, 4 College Street, Higham Ferrers that was requested by East

Northamptonshire Council's Senior Environmental Health Officer. The Panel took into account:-

- the report of the Health Protection Manager,
- representation from the Licensing Enforcement Officer of East Northamptonshire Council
- representation from Northamptonshire Police
- comments made by ENC's Environmental Protection Team
- representation from Higham Ferrers Town Council
- representations from 13 local residents, with one citing serious problems, the remaining twelve relate to public safety, nuisance and anti-social behaviour
- and all relevant representations and documents submitted.

The Panel also heard from the Legal Representative for the Premises Licence Holder who spoke on behalf of:

- Licence Holder of the premises licence
- The Designated Premises Supervisor (DPS)

The Panel carefully deliberated and had regard to:-

- The Licensing Act 2003
- The Statement of Licensing Policy
- S182 Guidance
- East Northamptonshire Council's Licensing Policy
- Body-cam footage
- CCTV recording
- All relevant representations received

The main reasons for the review were in relation 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 4 July 2020 and complaints received relating to the general management of the premises.

The Licensing Panel have considered all the above and are of the unanimous view that on a balance of probability the Green Dragon Public House is not currently promoting the licensing objectives of preventing public nuisance.

The Panel have, therefore, decided unanimously that it is appropriate and proportionate to issue a formal warning to the Premises Licence Holder and the DPS. The Panel had seriously considered removing the DPS and a possible suspension of the Premises Licence. Such action was not taken after taking into consideration the representations made on behalf of the Licence Holder and the personal statement from the current DPS who admitted non-compliance with the current conditions and further reassured the Panel of her intention to fully comply with all of the current conditions of the Premises Licence in the future. For avoidance of doubt the following additional conditions were applied to the Premises Licence on 26 August 2020 and are:-

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 six 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 Licensable activity of live amplified or recorded music outdoors is currently Sunday 1100 to 2330 and Monday to Saturday 1900 to 2300. These times will be amended to Sunday 12noon to 1900, Saturday 12noon to 2000 and Monday to Friday not permitted. 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.

The reasons for this decision are:-

1. The Panel require that the Licence Holder and the DPS fully comply with the Conditions to assist with the management of the Premises.
2. The Licence Holder and the DPS are reminded that they are fully responsible for the compliance of the Conditions as listed above.

The Panel would remind the Licence Holder and the DPS of the sanctions that could have been applied and would stress the implications of future non-compliance of these conditions. The Panel also recommend that the Licence Holder and DPS look to have a closer involvement with their neighbours in their activities.

The Decision Notice will be sent out in writing. If aggrieved with the Panel's decision, the Applicant and any Party that has made representation has the Right to Appeal to the Magistrates Court within 21 days of the Decision Notification letter and the modification of the licence conditions do not take affect until expiry of the 21 day period.

**Chairman**