

**NORTHAMPTON BOROUGH COUNCIL**

**LICENSING AUTHORITY**

**NOTICE OF HEARING**

**A Meeting of the Licensing Sub-Committee will be held on**

**Wednesday, 7 March 2012 at 10:00 am**

In The Council Chamber, St. Giles Square, Northampton, NN1  
1DE. The Guildhall, Northampton  
to hear the relevant representations and notices raised in respect of

**Review of the Jolly Crispin  
134 Great Russell Street  
Northampton  
NN1 3RB**

## PROCEDURES FOR LICENSING SUB-COMMITTEE HEARING

- **Welcome** – Chairman welcomes the Applicant, Representors, Responsible Authorities and Interested Parties and introduces members of the sub-committee (+ other officers e.g. Solicitor, Licensing Officer, Meetings Services clerk etc).
- **Reason for Hearing** – to be outlined by the **Licensing Officer** or the **Chair**.
- **Format of the hearing** – an explanation of the format of the proceedings:
  1. **Applicant** (or his/her representative) will address the sub-committee first and put their case.
  2. **The Chair** leads an examination of the **Applicant's case**. First, the panel may ask questions and then the Chair invites Responsible and Interested Parties to participate. Questions may only relate to the points made by the applicant.
  3. **The Representors** (and responsible and Interested Parties) then state their case.
  4. **The Chair** leads an examination of the **Representor's case**.

Each party will be given an equal maximum period of time in which to present their case and may, if given permission by the Chair, question any other party.

- **Summing Up**
  - By the Representors
  - By the Applicant
- **Sub-committee retires** – and may call for the Solicitor for advice if required.
- **Sub-Committee deliver their decision and reasons for their decision at the conclusion of the meeting IF:**
  1. Application for conversion of existing licence
  2. Application for conversion of existing club certificate
  3. Application by holder of justices' licence for grant of personal licence
  4. Application for conversion and variation of premises licence (including variation of DPS)
  5. Application for conversion and variation of club premises certificate
  6. Counter notice following police objection to temporary event notice
  7. Review of Premises Licence following Closure Order

In all other cases, the Sub-committee delivers its decision and reasons for its decision within five working days beginning with the day on which the hearing was held.

## FORM FOR APPLYING FOR A SUMMARY LICENCE REVIEW

[Insert name and address of relevant licensing authority and its reference number (optional)]



### **Application for the review of a premises licence under section 53A of the Licensing Act 2003 (premises associated with serious crime or disorder)**

#### 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 the 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.**

I PS 1056 Mark Worthington [on behalf of] the chief officer of police for the Northamptonshire Police police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

#### **1. Premises details:**

Postal address of premises, or if none or not known, ordnance survey map reference or description:

**The Jolly Crispin,  
134 Great Russell Street**

Post town: Northampton

Post code (if known): **NN1 3RB**

#### **2. Premises licence details:**

Name of premises licence holder (if known): **NOLANS INNS**

Number of premises licence holder (if known): **PL0263**

#### **3. Certificate under section 53A(1)(b) of the Licensing Act 2003 [Please read guidance note 1]:**

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or disorder or both, and the certificate accompanies this application.

(Please tick the box to confirm)

**4. Details of association of the above premises with serious crime, serious disorder or both:**

[Please read guidance note 2]

At 00.44 on 11th February 2012 Police were called to a large scale disturbance at the Jolly Crispin Pub, Great Russell Street, Northampton.

Upon arrival officers were faced with a group of people fighting using tables, chairs, pool cues and glasses as weapons.

Additional Police resources were called in to deal with the melee (at one point 16 officers were in attendance). Apart from minor injuries 3 persons had significant injuries; one was unconscious when Police arrived. All 3 required hospital treatment for a variety of head injuries the most serious of which was a suspected fractured jaw and eye injuries.

The Licensee (DPS), Andrea Harris was present, but was uncooperative with the officers and was extremely intoxicated. The majority of the persons present were also extremely intoxicated. None of the persons involved are making any formal complaints of assault this indicates that it is likely that there will be reprisals at a later date.

On a Friday & Saturday nights, the premises is only licensed to sell alcohol to midnight and should be closed to the Public at 00.30 hours, this incident occurred about 15 minutes after it should have been shut.

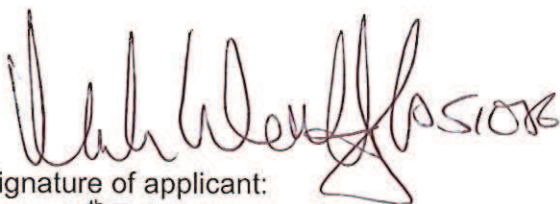
In August 2011 there was another serious assault in the pub where the victim was stabbed/slashed and a corrosive substance was sprayed throughout the bar.

In May 2011 the premises failed a Test Purchase operation and 2 children under 18 were served with alcohol.

It is necessary to call for this expedited review as it appears the Licensee has lost control of the Pub; it is a premises where serious violence and disorder has broken out.

It is the request of the Police that the following interim steps are taken:

- The DPS is removed with immediate effect
- The premises license is suspended until the full review can be heard.



Signature of applicant:

Date: 13<sup>th</sup> February 2012

Capacity: Licensing & Nightsafe Sergeant



**Contact details for matters concerning this application:**

Address:

**Sgt Mark Worthington  
Campbell square police Station  
TheMounts  
Northampton NN1 3EL**

Telephone number(s): 03000 111222

Email: mark.worthington@northants.police.uk

Notes for guidance:

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.

Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:

- conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
- conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.

Serious disorder is not defined in legislation, and so bears its ordinary English meaning.

2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.





**CERTIFICATE**  
Under section 53a(1)(b) of the Licensing Act 2003

I, **Max Williams, am** a Superintendent (or above) in Northamptonshire Police and hereby certify that in my opinion the premises described below are associated with:

**both serious crime and serious disorder**

**Premises Details:**

(Include Business name, Postal address of the premises or if none – Ordnance Survey map reference or description)

**The Jolly Crispin,  
134 Great Russell Street**

Town: Northampton

Post Code: NN1 3RB

**I am giving this certificate because I am of the opinion that other procedures under the Licensing Act 2003 are inappropriate in this case because:**

(Give brief description of why other procedures such as standard review process are thought to be inappropriate eg the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned etc)

**At 00.44 on 11th February 2012 Police were called to a large scale disturbance at the Jolly Crispin Pub, Great Russell Street, Northampton.**

**Upon arrival officers were faced with a group of people fighting using tables, chairs, pool cues and glasses as weapons.**

**Additional Police resources were called in to deal with the melee (at one point 16 officers were in attendance). Apart from minor injuries 3 persons had significant injuries; one was unconscious when Police arrived. All 3 required hospital treatment for a variety of head injuries the most serious of which was a suspected fractured jaw and eye injuries.**

**The Licensee (DPS), Andrea Harris was present, but was uncooperative with the officers and was extremely intoxicated. The majority of the persons present were also extremely intoxicated. None of the persons involved are making any formal complaints of assault this indicates that it is likely that there will be reprisals at a later date.**

**On a Friday & Saturday nights, the premises is only licensed to sell alcohol to midnight and should be closed to the Public at 00.30 hours, this incident occurred about 15 minutes after it should have been shut.**

**In August 2011 there was another serious assault in the pub where the victim was stabbed/slashed and a corrosive substance was sprayed throughout the bar.**



**In May 2011 the premises failed a Test Purchase operation and 2 children under 18 were served with alcohol.**

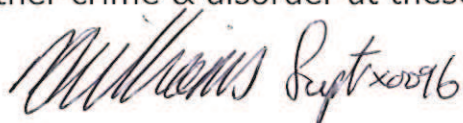
**It is necessary to call for this expedited review as it appears the Licensee has lost control of the Pub; it is a premises where serious violence and disorder has broken out.**

**It is the request of the Police that the following interim steps are taken:**

- **The DPS is removed with immediate effect**
- **The premises license is suspended until the full review can be heard.**

The Licensee is uncooperative with Police; she was intoxicated when the incident took place. Serious crimes have occurred at this premises in the last 6 months and there is indication from those involved in the most recent incident that there will be reprisals, to wait for a normal review period could lead to further crime & disorder at these premises.

Signed:



Date: 13<sup>th</sup> February 2012.



## LOCAL AUTHORITY



Licensing Section  
The Guildhall  
St Giles Square  
NORTHAMPTON  
NN1 1DE

## Part 1 - Premises Details

## POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

**Jolly Crispin**

134 Great Russell Street, Northampton, Northamptonshire, NN1 3RB.

## WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

## LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- an indoor sporting event
- a performance of live music
- any playing of recorded music
- entertainment facilities for making music
- the sale by retail of alcohol

## THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
C. Indoor sporting event	Monday-Thursday	7:00pm	11:00pm
	Friday-Saturday	7:00pm	Midnight
	Sunday	7:00pm	11:00pm
E. Performance of live music (Indoors)	Monday-Thursday	10:00am	11:00pm
	Friday-Saturday	10:00am	Midnight
	Sunday	Noon	11:00pm
F. Playing of recorded music (Indoors)	Monday-Thursday	10:00am	11:00pm
	Friday-Saturday	10:00am	Midnight
	Sunday	Noon	11:00pm
I. Provision of facilities for making music (Indoors)	Monday-Thursday	10:00am	11:00pm
	Friday-Saturday	10:00am	Midnight
	Sunday	Noon	11:00pm
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday-Thursday	10:00am	11:00pm
	Friday-Saturday	10:00am	Midnight
	Sunday	11:00am	11:00pm
	Non Standard Timings:	10:00am	Midnight
	Licence to sell alcohol from 10:00am to 00:00am on the following days:		

1st January, 2nd January, 14th February, Burns Night, St. David's Day, St. Patrick's Day, St. George's Day, St. Andrew's Day, Easter Bank Holiday (Sun & Mon), May Bank Holiday (Sun &



Licensing Act 2003  
**Premises Licence**

**PL0263**

**THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...**

Activity (and Area if applicable)	Description	Time From	Time To
M. The sale by retail of alcohol for consumption ON and OFF the premises continued ...	Mon) , Spring Bank Holiday (Sun & Mon) , Christmas Eve , Boxing Day , 27th December.		

**THE OPENING HOURS OF THE PREMISES**

Description	Time From	Time To
Monday-Thursday	10:00am	11:30pm
Friday-Saturday	10:00am	12:30am
Sunday	11:00am	12:30am
Non Standard Timings:	10:00am	Midnight

Licence to sell alcohol from 10:00am to 00:00am on the following days:

1st January , 2nd January , 14th February , Burns Night , St. David's Day , St. Patrick's Day , St. George's Day , St. Andrew's Day , Easter Bank Holiday (Sun & Mon) , May Bank Holiday (Sun & Mon) , Spring Bank Holiday (Sun & Mon) , Christmas Eve , Boxing Day , 27th December.

**WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES**

- M. The sale by retail of alcohol for consumption ON and OFF the premises

**Part 2**

**NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE**

Nolans Inns Oak Cottage, 12 Brixworth Road, Creaton, Northampton, NN6 8NG.  
Telephone 01604 505776 or 07716661511

**REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)**

**NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL**

Andrea Doris HARRIS 135 Great Russell Street, Northampton, NN1 3RB.

**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 No. PA0581 Issued by

**ANNEXES**

**ANNEX 1 - MANDATORY CONDITIONS**

**19 Mandatory conditions where licence authorises supply of alcohol**

(1) 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.



ANNEXES continued ...

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

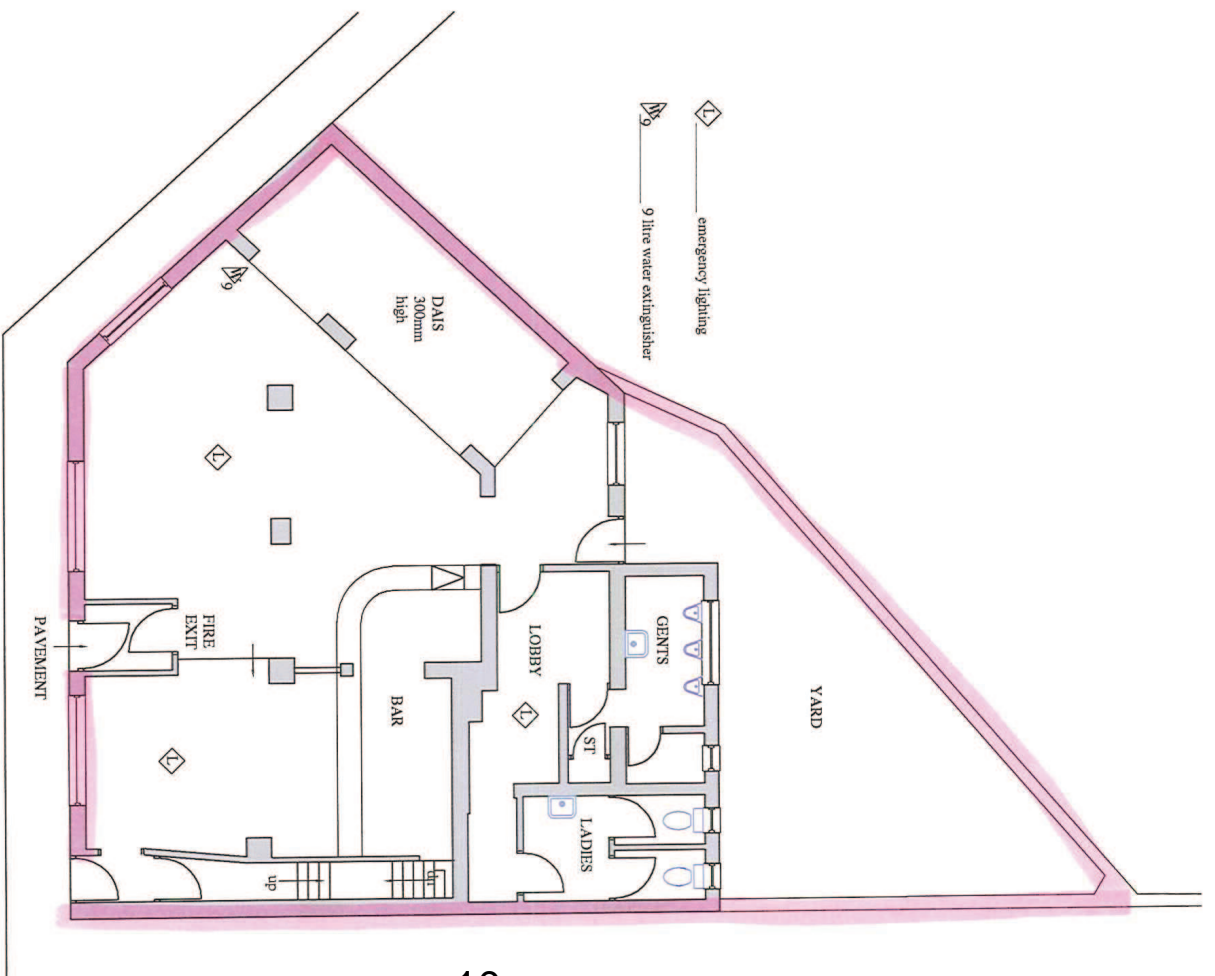
**Licensing Act 2003**

This licence is granted on the condition that the restrictions contained within the enactments specified under the Licensing Act 2003 Schedule 8 (1 & 6) are adhered to.

Solicitor to the Council







Location	Project	SCALE	Drawing Title	Rev
THE CRISPEN GREAT RUSSELL ST NORTHAMPTON		1:100	GROUND FLOOR PLAN	A
			Drawing No	
			01	

# NORTHAMPTON BOROUGH COUNCIL

## LICENSING SUB-COMMITTEE

**Tuesday, 14 February 2012**

**COUNCILLORS PRESENT:** Councillors Duncan (Chair) Ford and Patel

**OFFICERS:** Mohammed Rahman (Solicitor)  
Louise Faulkner (Licensing Officer)

**FOR THE APPLICANT:** Sgt Worthington – Northamptonshire Police

**FOR THE REPRESENTORS:** Mr Nolan – Leaseholder  
Mrs Nolan – Leaseholder  
Mrs Harris – Licensee/Designated Premises Supervisor

### **1. EXPEDITED REVIEW - JOLLY CRISPIN**

The Chair introduced Members of the Committee and welcomed everyone to the meeting.

The Licensing Officer outlined the purpose of the hearing and explained that a expedited review had been requested by Northamptonshire Police due to serious crime and/or disorder as a result of a number of incidents on Saturday 11<sup>th</sup> February 2012. The Licensing Officer then explained the procedure of the hearing.

#### **Application for the Review**

Sgt Worthington from Northamptonshire Police confirmed that they had applied for the expedited review due to serious crime and/or disorder. He commented that the premises was licensed to sell alcohol Mondays to Thursdays between the hours of 10am and 11pm, Friday to Saturday 10am to 12 midnight and Sunday 11am to 11pm.

He reported that on Saturday 11<sup>th</sup> February 2012 at 00.44 the police drove past the premises and witnessed a number of people fighting outside the premises – 44 minutes after the Premises should have closed. At the same time, a call had been received requesting Police assistance, who were subsequently dispatched to the Jolly Crispin. He stated that during the phone call, the operator could hear glass being smashed in the background before the phone was disconnected. On arrival the Police observed tables being thrown, glasses being smashed and pool cues being used as weapons. They were made aware of someone lying on the floor, who was not breathing and possibly unconscious. Due to the seriousness of disorder, it was explained that the Police Supervisor was asked to attend - 16 Police Officers had been in attendance at one point. He explained the there had been two victims of grievous bodily harm, both of whom had been taken to hospital – one with a fractured skull, the other, a fractured eye socket. It was noted that the Police were concerned about the possibility of reprisals, as it had been mentioned at the time of and shortly after the incident.

Sgt Worthington further explained that the licensee and Designated Premises Supervisor (DPS) Mrs Andrea Harris was present but was not in a fit state due to extreme intoxication and thus not in control of the premises. He commented that she had been obtuse and uncooperative with the Police and had offered them little assistance in the delivery of first aid. He suggested that the time the police call was logged also indicated that alcohol was being sold after licensable hours. He also expressed concern that there was no CCTV within the premises.

Sgt Worthington explained that historically there had been a number of issues with the premises and informed the Sub Committee members that in August 2011 there had been a serious assault where the victim had been stabbed/slashed and a corrosive substance had been sprayed throughout the bar area of the premises. In May 2011 it was noted that there had been a failed Test Purchase operation where two children (under 18) had been served alcohol. It was reported that the Police considered it necessary for the expedited review as it had appeared that the Licensee had lost control of the premises and serious violence and disorder had broken out. Therefore the Police requested that interim steps be taken to remove the DPS with immediate effect and that the license be suspended until a full review could be heard.

### **Representations by the Respondent**

Mrs Harris - the licensee and Designated Premises Supervisor explained that on the night of the incident, the ambience in the Jolly Crispin had been pleasant and enjoyable, but that tensions mounted as the night went on. She stated that at midnight, the bar had been closed when she went upstairs to make a cup of tea at which point the fracas had broken out. She stated that having returned to the bar she had gone to the assistance of the unconscious man and did everything in her power to assist the victim. Having cleared the premises of people, she reported that the Police had advised her not to enter the bar area as evidence would be gathered and retired to bed. Her lodger woke her at 2am accompanied by the Police as they had returned requesting a statement and a pool cue, which they wanted for evidence. She commented that she did not want the police going to the bar area alone as there was a lot of glass, alarms that needed to be set and reset and her dog would also be at risk of padding on shards of glass. She further commented that she offered to give the Police a statement the following day, which she stated was why the police had considered her to be uncooperative.

Mrs Harris explained that in the evening, she had not been extremely intoxicated as she had only consumed two glasses of wine and vigorously denied that she was drunk. She reported that due to a broken heel bone, she was prescribed medication, the side effects of which lead the Police to believe that she was under the influence of alcohol.

Mr Nolan, the leaseholder of the premises explained that he had been in the licensing trade for a considerable number of years and stated that during the time when Mrs Harris had been DPS of the premises, he fully trusted her competency and believed that having an affiliation with the local community had stood her in good stead and he continued to believe that she was capable of managing the premises. In response to the concerns expressed by the Police regarding CCTV, Mr Nolan stated that he would be happy to install CCTV if considered necessary.

In response to the statement by Sgt Worthington, Mrs Harris explained that the underage sale had occurred when a temporary member of staff had been on the premises and consequently not work in the premises since the Test Purchase. With regards to the serious assault in August 2011, Mrs Harris explained that it was her son who had been the victim of the unprovoked attack, a disreputable person whom had carried out the attack.

### **Questions to the Respondents**

In response to questions asked by the Sub Committee, it was explained that those people involved in the fight included a number of regulars and a couple of men who had recently been released from prison – who Mrs Harris stated were the instigators of the melee and a number of people had been barred from the premises as a result of the incident. She also informed the Sub Committee that there were approximately twenty-five drinkers in the



premises at the time, with herself as the only member of staff present at the time of the fracas. Mr Nolan stated that he would welcome employing door staff in the future to ensure the safety of customers and staff.

In response to a question asked by Sgt Worthington, Mrs Harris listed the medication she had been prescribed to her.

### **Summing up by the Applicant**

Sgt Worthington requested that the Sub Committee consider the removal of the DPS and asked for the License to be suspended due to the serious nature of crime and disorder. He maintained that he believed Mrs Harris was intoxicated at the time of the incident and had lost control of the premises.

### **Summing up by the Respondent**

Mr Nolan stated that he had worked in the industry for the past 30 years and would assist the Police in dealing with any subsequent reprisals. He reported that he would enquire about CCTV and employing door staff/security to prevent any further incidents.

There being no further questions, the Sub Committee adjourned at 15.22pm to make a decision and the solicitor was called for advice.

### **The Determination**

The Sub Committee reconvened at 15.46

The Sub-Committee considered the Expedited Review of the Premises Licence for The Jolly Crispin, 132 Great Russell Street, Northampton, which was applied for by the Northamptonshire Police.

Having heard the representations put forward from the Police it was noted that they had requested that the DPS be removed and the Premises Licence be suspended. They also took into consideration the submissions from Mr and Mrs Nolan, who represented the Premises License Holder, Nolans Inns and also from Ms Harris, the DPS.

However, due to the seriousness of this matter, which included the injuries suffered, they strongly consider all the options available to them in relation to the Premises Licence.

The Sub-Committee concluded that in order to promote and uphold the Licensing Objectives, and due to the fact that the incidents were considered as both serious crime and serious disorder, the only viable course of action would be to remove the DPS and to suspend the Premises License. These would be Interim Steps, which would take effect immediately.

The Chair commented that the Licensing Committee as a whole, had a duty to ensure that all the Premises in the Borough that hold a licence should be run in a proper manner, and unfortunately it was felt that this was not the case in this instance.

The removal of the DPS and suspension of the Premises Licence were considered both necessary and proportionate and uphold the Licensing Objectives, in particular Public Safety. These steps would also protect the premises from any reprisals and allow Northamptonshire Police time to carry out any other necessary investigations.

The steps would continue until a full Licensing Review could take place, which would be

within 28 days, when the matter would be re-visited.

The meeting concluded at 15.47pm