

**(Part A) Application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and (Part B) application to vary the premises licence simultaneously**

**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.

**We, Peter Anthony Godson BANES-WALKER and Nicholas William Victor EMBERLEY apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below**

**Part A1 – Premises Details**

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>	
The Green Dragon PH Brook	
<b>Post town:</b> Lyndhurst, Hants.	<b>Postcode:</b> SO43 7HE

Telephone number of premises (if any)

02380 813359

Non-domestic rateable value of premises

£ 31,500.00

**Part A2 - Applicant Details**

Please state the capacity in which you applying to convert your existing licence  
Please tick ✓

- a) An individual or individuals  please complete section (A)
- b) a person other than an individual
- i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)

g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)

h) the chief officer of police of a police force in England and Wales  please complete section (B)

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname **BANES-WALKER** First names **Peter Anthony Godson**

Please tick  Yes

I am 18 years old or over

Current postal address if different from premises address **Boverie House  
Purbrook Heath**

Post Town **Purbrook, Hants.** Postcode **PO7 5RX**

Daytime contact telephone number **02392 263280**

E-mail address (optional)

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname **EMBERLEY** First names **Nicholas William Victor**

Please tick  Yes

I am 18 years old or over

Current postal address if different from premises address **As Premises**

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

### Part A3 - Operating Schedule

If 5,000 or more people attend the premises at any one time, please state the number

N/A

General description of premises (please read guidance note 1)

A detached Public House with 1 bar and restaurant, trade garden and car park, on a busy through road in a rural location.

Please tick ✓ Yes

What existing licensable activities are authorised by your existing licence(s)?

#### Provision of regulated entertainment

- a) plays
- b) films
- c) indoor sporting events
- d) boxing or wrestling entertainment
- e) live music
- f) recorded music
- g) performances of dance
- h) anything of a similar description to that falling within (e), (f) or (g)

#### Provision of entertainment facilities for:

- j) making music
- k) dancing
- l) entertainment of a similar description to that falling within (i) or (j)

#### Provision of late night refreshment

#### Sale by retail of alcohol

- a) for consumption on the premises
- b) for consumption off the premises

Please state who you wish to be specified to be the premises supervisor under the new licence

Name: **Nicholas William Victor EMBERLEY**

Address: **The Green Dragon PH, Brook, Lyndhurst, Hants. SO43 7HE**

Personal Licence number, if known: .....

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

National Licensing Hours apply to ON & OFF Sales

10.00 – 24.00 Monday – Saturday

12.00 – 23.30 Sunday and Good Friday

12.00 – 23.30 Christmas Day

10.00 New Year's Eve - 24.00 New Year's Day

(all as extended by the attached S68 certificate)

Describe the conditions subject to which your existing licence(s) has/have been granted (please read guidance note 2):

**a) General – all four licensing objectives (b,c,d,e)**

Only such conditions and restrictions as are inherent in the Licensing Act 1964 and in the attached S68 certificate.  
2 AWP machine permits under the Gaming Act 1968.  
Continuation of recorded music, TV and radio broadcasting permitted under S182 of the Licensing Act 1964.

Then insert below, any specific conditions attached to the licences:

**None**

**b) The prevention of crime and disorder**

**c) Public safety**

**d) The prevention of public nuisance**

**e) The protection of children from harm**

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed my existing licence(s) or a certified copy of each licence
- I have enclosed a plan of the premises
- I have sent copies of this application to the chief officer of police (please read guidance note 3)
- I have enclosed the consent form completed by the proposed premises supervisor, if relevant
- I have enclosed the consent of the justices' licence holder to my application, if relevant
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [AMOUNT], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part A4 – 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 PA Jane Welke  
Date 03-05-2005  
Capacity Applicant

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.  
(Please read guidance note 6). If signing on behalf of the applicant please state in what capacity.

Signature Rob  
Date 30/4/05  
Capacity Applicant

<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)</b>	
Mr R May Pubexpert Longdown Farm Cottage Cadsden	
<b>Post town</b> Princes Risborough, Bucks.	<b>Post code</b> HP7 0NF
<b>Telephone number</b> 07866 758056	
<b>E-mail address (optional)</b> rob.may@pubexpert.com	

**IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM.**

**IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK.**

**PART B - Application to vary a premises licence under the Licensing Act 2003**

**We, Peter Anthony Godson BANES-WALKER and Nicholas William Victor EMBERLEY, being the proposed premises licence holders of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34/section 37 of the Licensing Act 2003 for the premises described in Part A above.**

**Part B1 - Variation**

Do you want the proposed variation to have effect from the second appointed day? Please tick Y

If not do you want the variation to take effect from 

Day	Month	Year

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

**Please describe briefly the nature of the proposed variation.** (Please read guidance note 8)

- 1) To permit regulated entertainments, comprising:
  - Live Acoustic & Amplified music, and amplified voice
  - All types of recorded music, including jukebox and karaoke
  - Compère for functions, quizzes etc. with amplified voice
  - Pub games in front of an audience
  - Video Entertainment on TV screens and amusement machines
- 2) To permit sale of alcohol at anytime between 09.00 and 01.00 the following day on every day, and from 09.00 on New Years Eve until 01.00 on 2<sup>nd</sup> January.
- 3) To offer permitted regulated entertainments throughout opening hours as noted in the attached Operating Schedule.
- 4) To be able to open on all days from 07.30, and at the end of permitted hours for the sale of alcohol to remain open for a further 30 minutes as a "wind down" period.
- 5) Remove all embedded restrictions inherent in the Licensing Act 1964, (including those relating to the S68 certificate), the Cinematograph (Safety) Regulations 1955 and the Children & Young Persons Act 1933.
- 6) To provide refreshment after 23.00 hours.



**Part B2 - Operating Schedule**

Please complete those parts of the operating schedule which would be subject to change if this application to vary were successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them?

(please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Please tick Y Yes

**Provision of regulated entertainment**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

**Provision of late night refreshment** (if ticking yes, fill in box L)

**Sale by retail of alcohol** (if ticking yes, fill in box M)

**A**

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<b><u>Please give further details here</u></b> (please read guidance note 10)		
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 11)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u></b> (please read guidance note 12)		
Sat					
Sun					

9

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick [✓](please read guidance note 9).</b>	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	07.30	<del>01.30</del> 00.30	<b>Please give further details here</b> (please read guidance note 10) Video entertainment on TV screens and amusement machines	Both	
Tue	07.30	<del>01.30</del> 00.30			
Wed	07.30	<del>01.30</del> 00.30		<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 11)	
Thur	07.30	<del>01.30</del> 00.30		None	
Fri	07.30	<del>01.30</del> 00.30		<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 12)	
Sat	07.30	<del>01.30</del> 00.30		When opening hours are extended at New Year, these hours follow the opening hours	
Sun	07.30	<del>01.30</del> 00.30			

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b>Please give further details</b> (please read guidance note 10)					
Day	Start	Finish	To permit pub games that attract an audience, whether by advertisement or spontaneously					
Mon	07.30	<del>01.30</del> 00.30	<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 11) None					
Tue	07.30	<del>01.30</del> 00.30						
Wed	07.30	<del>01.30</del> 00.30						
Thur	07.30	<del>01.30</del> 00.30				<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 12)		
Fri	07.30	<del>01.30</del> 00.30				When opening hours are extended at New Year, these hours follow the opening hours		
Sat	07.30	<del>01.30</del> 00.30						
Sun	07.30	<del>01.30</del> 00.30						

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 8)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 9).</b>	Indoors		
Day	Start	Finish		Outdoors		
Mon			<b>Please give further details here (please read guidance note 10)</b>	Both		
Tue						
Wed				<b>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)</b>		
Thur						
Fri				<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)</b>		
Sat						
Sun						

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).</b>	Indoors		
Day	Start	Finish		Outdoors		
Mon	12.00	24.00	<b>Please give further details here (please read guidance note 10)</b>  Live Acoustic and amplified music, and amplified voice.	Both	✓	
Tue	12.00	24.00				
Wed	12.00	24.00		<b>State any seasonal variations for the performance of live music (please read guidance note 11)</b>  None		
Thur	12.00	24.00				
Fri	12.00	24.00		<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 12)</b>  Indoors - At New Year to permit live acoustic & amplified music & voice until 01.00 on 1 <sup>st</sup> January.  Outdoors - Live Acoustic & amplified music & voice will cease by 22.30		
Sat	12.00	24.00				
Sun	12.00	24.00				

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).</b>	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish			
Mon	07.30	<del>01.30</del> 00.30	<b>Please give further details here</b> (please read guidance note 10)  Recorded music, including jukebox and karaoke with or without a DJ, during normal business, and including audience participation		
Tue	07.30	<del>01.30</del> 00.30			
Wed	07.30	<del>01.30</del> 00.30	<b>State any seasonal variations for playing recorded music</b> (please read guidance note 11)  None		
Thur	07.30	<del>01.30</del> 00.30			
Fri	07.30	01.30 00.30	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 12)  When opening hours are extended at New Year, these hours follow the opening hours		
Sat	07.30	<del>01.30</del> 00.30			
Sun	07.30	<del>01.30</del> 00.30			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick [✓] (please read guidance note 9).</b>	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 10)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 11)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 12)		
Sat					
Sun					

4

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the type of entertainment you will be providing</b> Compères for quiz and similar events, comedians and similar performance, in any case using amplified voice.	
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both</b> – please tick [✓] (please read guidance note 9).	Indoors ✓
				Outdoors
Mon	07.30	<del>01.30</del> 00.30		Both
Tue	07.30	<del>01.30</del> 00.30		
Wed	07.30	<del>01.30</del> 00.30	<b>Please give further details here</b> (please read guidance note 10)  None	
Thur	07.30	<del>01.30</del> 00.30	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 11)  None	
Fri	07.30	<del>01.30</del> 00.30		
Sat	07.30	<del>01.30</del> 00.30	<b>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 12)	
Sun	07.30	<del>01.30</del> 00.30	When opening hours are extended at New Year, these hours follow the opening hours	

Provision of facilities for making music Standard days and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick [✓] (please read guidance note 9).	Indoors	
				Outdoors	
Mon			Please give further details here (please read guidance note 10)	Both	
Tue					
Wed					
Thur			None		
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

**J**

Provision of facilities for dancing Standard days and timings (please read guidance note 8)			Will the facilities for dancing be indoors or outdoors or both – please tick [✓] (see guidance note 9).		Indoors	✓
Day	Start	Finish	Please give further details here (please read guidance note 10)	Outdoors		
				Both		
Mon	07.30	<del>01.30</del> 00.30	Function area, which can be booked for events which include dancing.			
Tue	07.30	<del>01.30</del> 00.30				
Wed	07.30	<del>01.30</del> 00.30	None			
Thur	07.30	<del>01.30</del> 00.30				
Fri	07.30	<del>01.30</del> 00.30	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)			
Sat	07.30	<del>01.30</del> 00.30				
Sun	07.30	<del>01.30</del> 00.30				

When opening hours are extended at New Year, these hours follow the opening hours

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 8)			<u>Please give a description of the type of entertainment facility you will be providing</u>	
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both</u> – please tick [✓] (please read guidance note 9).	Indoor
				Outdoor
Mon				Both
Tue			<u>Please give further details here</u> (please read guidance note 10)	
Wed				
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u> (please read guidance note 11)	
Fri				
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</u> (please read guidance note 12)	
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 8)			<u>Will the provision of late night refreshment take place indoors or outdoors or both</u> – please tick [✓] (please read guidance note 9).	
Day	Start	Finish	Indoors	✓
				Outdoors
Mon	23.00	<del>01.30</del> 00.30	Both	
Tue	23.00	<del>01.30</del> 00.30		
Wed	23.00	<del>01.30</del> 00.30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 11)	
Thur	23.00	<del>01.30</del> 00.30	None	
Fri	23.00	<del>01.30</del> 00.30	<u>Non standard timings. Where you intend to use the premises for the provision of late night entertainment at different times, to those listed in the column on the left, please list</u> (please read guidance note 12)	
Sat	23.00	<del>01.30</del> 00.30	When opening hours are extended at New Year, these hours follow the opening hours	
Sun	23.00	<del>01.30</del> 00.30		

**M**

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 13)	On the premises	
Day	Start	Finish		Off the premises	
Mon	09.00	<del>01.00</del> 24.00	State any seasonal variations for the supply of alcohol (please read guidance note 11)  None	Both	✓
Tue	09.00	<del>01.00</del> 24.00			
Wed	09.00	<del>01.00</del> 24.00			
Thur	09.00	<del>01.00</del> 24.00			
Fri	09.00	<del>01.00</del> 24.00			
Sat	09.00	<del>01.00</del> 24.00			
Sun	09.00	<del>01.00</del> 24.00			
			<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 12)</b>		
			09.00 New Year's Eve – 01.00 on 2 <sup>nd</sup> January		

**IN ALL CASES PLEASE COMPLETE BOXES N, O, P and Q below**

**N**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 14)

None



Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variation (please read guidance note 11)	
Day	Start	Finish		
Mon	07.30	<del>01.30</del> 00.30	None	
Tue	07.30	<del>01.30</del> 00.30		
Wed	07.30	<del>01.30</del> 00.30		
Thur	07.30	<del>01.30</del> 00.30		
Fri	07.30	<del>01.30</del> 00.30		
Sat	07.30	<del>01.30</del> 00.30		
Sun	07.30	<del>01.30</del> 00.30		
				<b>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)</b>
				07.30 New Year's Eve – 01.30 on 2 <sup>nd</sup> January

**P**

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking

Remove all embedded restrictions inherent in the Licensing Act 1964, the Cinematograph (Safety) Regulations 1955 and the Children and Young Persons Act 1933, including those relating to the supply of substantial refreshment as ancillary to the sale and supply of intoxicating liquor under the S68 certificate.

**Q** Please describe any additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

**a) General – all four licensing objectives (b, c, d, e) (please read guidance note 15)**

The types of regulated entertainments proposed re-instate and then enhance the normal pub entertainments that were previously unregulated, with the benefit to enhance the local facilities for social entertainment and reduce the focus on alcohol.

No new steps have been identified by risk assessment in relation to the four licensing objectives, except as below

I have considered the terms of your local licensing policy in preparing this application

**b) The prevention of crime and disorder**

Providing a 30 minute extension of opening hours after the end of the sale of alcohol will promote this objective as the last drink will be consumed less quickly, with access to the pubs toilet facilities and the provision of non-alcoholic refreshment during this period.

All staff will be briefed on how to identify drug abuse, including the steps to be taken if this is suspected.

**c) Public safety**

My risk assessment identifies no risk of crowding.

**d) The prevention of public nuisance**

Notices reminding customers to respect our neighbours and leave the premises quietly will be affixed adjacent to each exit.

Indoors - Live acoustic & amplified music will cease at 24.00.

Outdoors – Live acoustic & amplified music & voice will cease by 22.30.

**e) The protection of children from harm**

The restrictions set out in the Licensing Act 2003 will apply.

No unusual risks of harm to children have been identified.

All staff will be briefed on acceptable forms of proof of age, including the steps to be taken if they suspect its validity.

Where age-restricted films classified according to the British Board of Film Classification are exhibited, steps will be taken to ensure that younger children are not present.

**Part B3 – Premises Supervisor**

**Full name of proposed designated premises supervisor**

Nicholas William Victor EMBERLEY

**Address of proposed designated premises supervisor**

The Green Dragon PH  
Brook  
Nr Lyndhurst  
Hants.  
SO43 7HE

**Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable**

New Forest District Council

Please tick ✓ Yes

- I enclose the consent form completed by the proposed premises supervisor
- I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003)
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003)
- I understand that I must now advertise my application to vary (section 37 of the Licensing Act 2003)
- I understand that if I do not comply with the above requirements my application will be rejected

**Part B4 – Signatures** (please read guidance note 16)

**Signature of applicant (the proposed current premises licence holder) or applicant's solicitor or other duly authorised agent.** (See guidance note 17) **If signing on behalf of the applicant please state in what capacity.**

Signature

*PA James Walker*

Date

*03-05-2005*

Capacity ..... **Applicant** .....

**Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the proposed current premises licence holder) or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (please read guidance note 18) **If signing on behalf of the applicant please state in what capacity.**

Signature

*R May*

Date

*30/4/05*

Capacity ..... **Applicant** .....

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 19)

Mr R May  
Pubexpert  
Longdown Farm Cottage  
Cadsden

**Post town**  
Princes Risborough, Bucks.

**Post code**  
HP7 0NF

**Notes for Guidance**

**PART A**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provides a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
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. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

#### **PART B**

**This application cannot be used to vary the licence to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.**

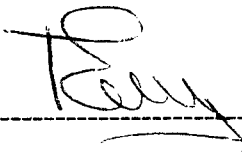
8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve.
13. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
14. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed.
17. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.

SCHEDULE 2

article 2

Form of consent given by the person whom the applicant wishes to be the premises supervisor

I, **Nicholas William Victor EMBERLEY**, hereby consent to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to **Peter Anthony Godson BANES-WALKER**, and **Nicholas William Victor EMBERLEY** in respect of the application to convert an existing justices' licence held by the applicant for **The Green Dragon PH, Brook, Lyndhurst, Hants. SO43 7HE** if that application is successful.

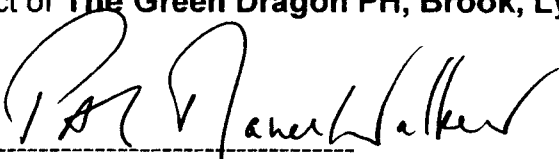
Signed -----  
Date 30/4/05-----

SCHEDULE 3


article 2

Form of consent given by the person who holds the existing  
licence

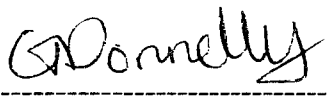
We, **Peter Anthony Godson BANES-WALKER**, **Nicholas William Victor EMBERLEY**, **Callum James DONNELLY** and **Richard James NOBLE**, being the holders of an existing licence, (**Justices' On Licence, granted 07-03-2005 at the Licensing Sessions for Southampton & New Forest**) hereby consent to the application by **Peter Anthony Godson BANES-WALKER**, and **Nicholas William Victor EMBERLEY** under paragraph 2 of Schedule 8 to the Licensing Act 2003 for the grant of a new licence under paragraph 4 of that Schedule to succeed the said existing licence held by us in respect of **The Green Dragon PH, Brook, Lyndhurst, Hants. SO43 7HE**.

Signed 

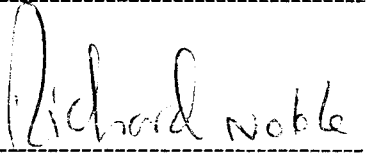
Date 03-05-2005

Signed 

Date 30/4/05

Signed 

Date 30/4/05

Signed 

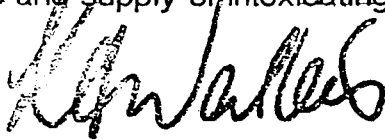
Date 11/5/05

IN HAMPSHIRE

In the Licensing District of NEW FOREST

At the licensing sessions held at Library Road, Tetton  
on the 2nd day of August 1993, for the said  
Licensing District.

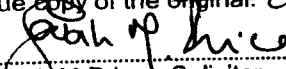
The Licensing Justices hereby certify that they are satisfied that  
the licensed premises known as THE GREEN DRAGON,  
Brook, nr Lyndhurst, Hants  
are structurally adapted and bona fide (~~intended to be~~) used for  
the purpose of habitually providing, for the accommodation of  
persons frequenting the premises, substantial refreshment to  
which the sale and supply of intoxicating liquor is ancillary.



Clerk to the Licensing Justices

Certificate under  
S. 68 Licensing Act 1964

I certify that this is a  
true copy of the original. **CERTIFIED COPY**

  
Sarah M Price - Solicitor  
6 Fortune Way, Bassingbourn  
Royston, Herts. SG8 5YR

I certify this to be a true copy of  
the original document.

  
Clerk to the Licensing Justices



LICENSING ACT 2003  
Application to vary a Premises Licence

Peter Anthony Godson Banes-Walker and Nicholas Willian Victor Emberley are applying to New Forest District Council to vary the Premises Licence for the Green Dragon, Brook, Hants, SO43 7HE

The variations, if granted, enable the following new activities to take place:

1. The sale of alcohol for extra hours between 09.00 and 10.00 and until 24.00 on any day, then closing the doors at or before 01.00
2. Provision of Regulated Entertainments (including live & recorded music indoors or out, video, pub games, quiz compere and the like) at any time between 07.30 and closing time on any day
3. To extend the provision of hot food and drink from 23.00 to closing time on any day.

Full details of the Application and the variations sought can be viewed at the offices of the Licensing Authority at Appletree Court, Lyndhurst, Hants, SO43 7PA ([www.nfdc.gov.uk](http://www.nfdc.gov.uk))

Interested parties or Responsible Authorities can make written representations to the Licensing Authority at any time up to 20th July 2005 stating clearly the ground upon which representation is made relevant to the Act

It is an offence for anyone knowingly or recklessly to make a false statement in connection with a Licence Application. The maximum fine on summary conviction is £5000.00.

Dated this 22nd day of June 2005

**IN THE COUNTY OF HAMPSHIRE  
SOUTHAMPTON/NEW FOREST LICENSING COMMITTEE**

Date of Session : 7th March 2005

Permit/Licence No : 135

Liquor Type : ALL INTOXICATING LIQUOR

Licence Holders :

**Peter Anthony Godson Banes-Walker  
Nick Emberley  
Callum James Donnelly  
Richard James Noble**

Name & Address of Premises :

**GREEN DRAGON  
Brook  
Lyndhurst  
Hampshire SO43 7HE**

Owner : **Laurel Pub Company Limited**

Certified a true and complete  
copy of the original!

05 JUL 2005

NFDC Licensing Services

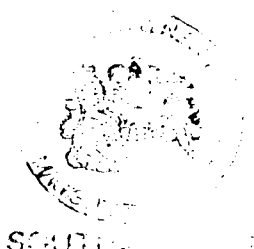
**JUSTICES' ON LICENCE**

THE LICENSING JUSTICES hereby grant by way of TRANSFER to the above applicant this JUSTICES' ON LICENCE authorising the applicant to sell by retail at the above premises, in substitution of the previous licence holder, the type of intoxicating liquor stated for consumption either on or off the premises.

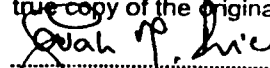
This Licence is granted subject to the conditions and undertakings (if any) endorsed below and shall have effect from the date hereof until the 4th April, 2007

Given under the official stamp of the Licensing Justices which is hereto affixed under their authority by me.

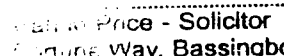
  
Clerk to the Licensing Justices'



I certify that this is a  
true copy of the original.

  
Sarah M Price - Solicitor  
6 Fortune Way, Bassingbourn  
Royston, Herts. SG8 5YR

I certify that this is a  
true copy of the original.

  
Sarah M Price - Solicitor  
6 Fortune Way, Bassingbourn  
Royston, Herts. SG8 5YR



ta Cadon

---

**From:** Edward Vandyck  
**Sent:** 18 July 2005 18:31  
**To:** 'emberleynick@aol.com'  
**Cc:** Licensing e-mail address  
**Subject:** Licensing Act 2003 - Premises Licence Application for **Green Dragon**, Brook, Lyndhurst

Dear Mr Emberley

Following my visit and recent contact, please find attached notification that this Department will be lodging an objection to your current application.

Edward Vandyck  
Senior Environmental Health Officer  
New Forest District Council  
(023) 8028 5160, 8028 5127 (fax)

Mr P Banes-Walker  
Green Dragon  
Brook  
Lyndhurst  
SO43 7HE

My Ref: 05/01396/PLIC  
Your Ref:

18th July 2005

Dear Mr Banes-Walker

**Licensing Act 2003  
Premises Licence Application for Green Dragon, Brook, Lyndhurst**

I refer to your recent application in respect of the above premises and in particular to the details of the proposed variations, and my visit to the premises last week, when I spoke to Nicholas Emberley. The Environmental Protection section is a consultee in the application process and advises the Licensing Officer on noise and other pollution matters.

As part of your application you have indicated that you would like a high level of flexibility in order that you may provide the following:

- Live music (Section E) both inside the premises until midnight on Sunday to Saturday and outside until 22:30.
- Recorded Music (Section F) inside the premises until 01:30 Sunday to Saturday

Your application gives no indication of the proposed frequency of such regulated entertainment and as stated could potentially occur on every night of the week. Given the proximity of residential property to the premises I am concerned that there is the substantial potential for public nuisance to be caused by the holding of such regulated entertainment, particularly given the proposed finish times and the potential frequency of such occurrences. In addition, it is extremely unlikely that it would be possible to hold live music outside in any capacity, let alone until midnight, without it causing nuisance to your neighbours.

The holding of regulated entertainment must be consistent with the licensing objective to ensure that public nuisance does not occur. I am of the opinion that the content of Section Q (d) of your application is inadequate to provide assurances that the level of regulated entertainment sought can be held without causing significant public nuisance. I would therefore refer you to Section C of this Council's Licensing Policy, which is available at [www.nfdc.gov.uk](http://www.nfdc.gov.uk).

**As a matter of urgency I would therefore urge you to consider resubmitting revised proposals with respect to all or a combination of the following:**

1. The maximum intended frequency of the regulated entertainment;
2. The finish times of the regulated entertainment and where it is to be held
3. The measures you are proposing to have in place to control noise both indoors and outdoors, in addition to the proposed finishing times;
4. Evidence that the premises are capable of containing noise without significant break-out so as to be inaudible in nearby residential premises after 2300hrs.

To assist you further, I attach a proposed condition which will assist you in addressing item 4.

Further information is available in the "Control of Noise from Licensed Premises", which formed part of your application pack. Attention should be paid to the examples of noise control measures in Appendix 1 of this document, many of which might be appropriate to this application.

The 28 day period for consultation expires on the 19<sup>th</sup> July and with a view to resolving this matter quickly and without the need for a hearing I would be happy to meet with you to discuss the way forward.

I regret that if your application remains as currently stated then I will be raising an objection, which would then result in a hearing before a Licensing Panel.

I sincerely hope that these issues can be resolved without recourse to such action.

Yours sincerely

Edward Vandyck  
Senior Environmental Health Officer  
Environmental Protection

Tel: 023 80285160

Fax: 023 80285127

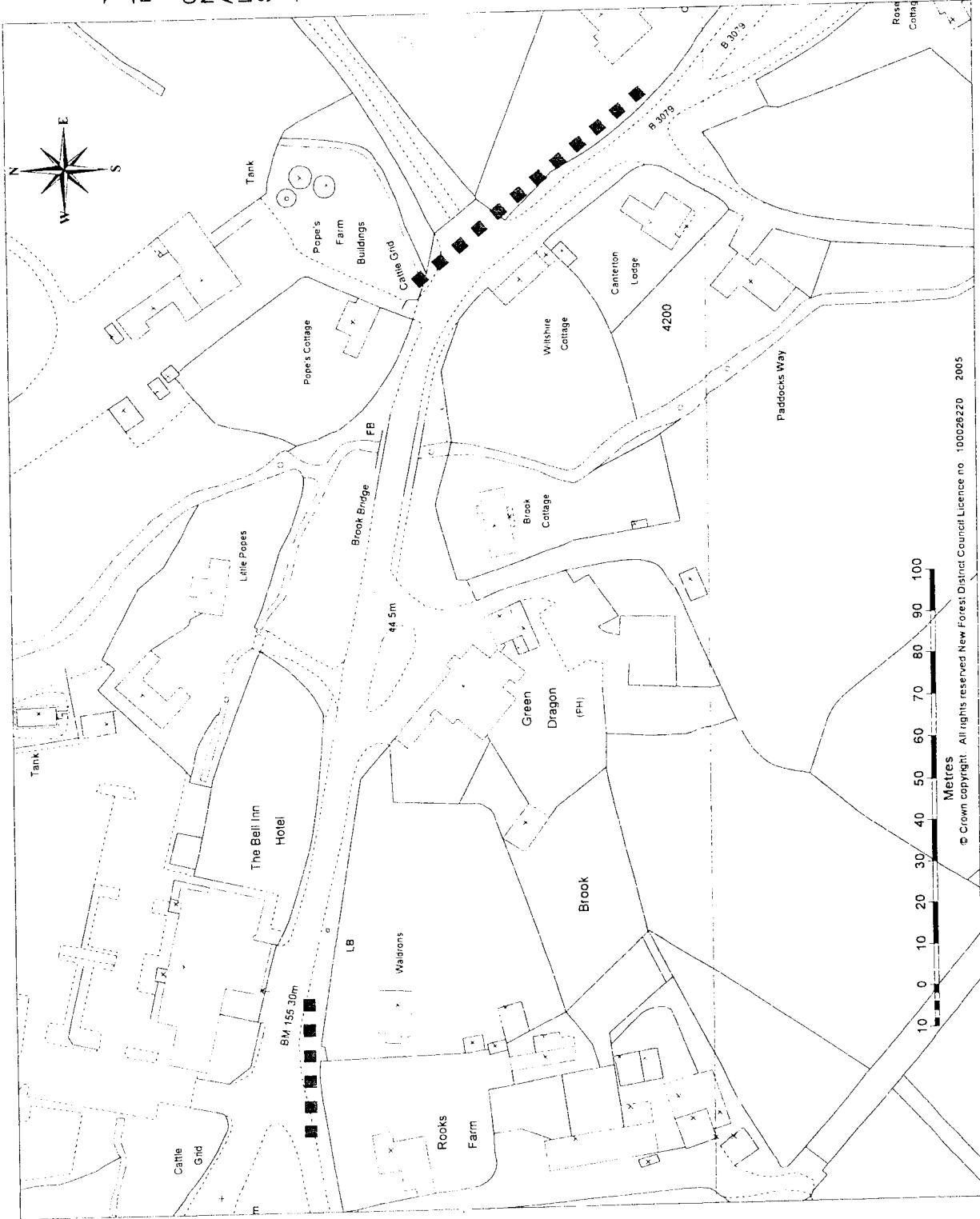
Email: [edward.vandyck@nfdc.gov.uk](mailto:edward.vandyck@nfdc.gov.uk)



# New Forest DISTRICT COUNCIL

Community Services  
New Forest District Council  
Appletree Court  
Lyndhurst  
SO43 7PA

Tel: (023) 80285000



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05.07.11

Suggested Condition:

Music and speech from the premises shall be inaudible after 23:00hrs at points on the pavement represented by the two thick hashed lines on the map above. Between 20:00 and 23:00hrs such sound shall be 'barely audible' on the same lines.

---

-----Original Message-----

**From:** Edward Vandyck  
**Sent:** 27 July 2005 16:20  
**To:** 'Rob May'  
**Subject:** RE: LA03 - Green Dragon, Brook

Dear Mr May

The proposed alterations to your application are helpful in reducing the impact on neighbouring properties.

However, the application as it stands proposes outdoor live music on each day of the year. With no limit to the number of such events, and given the proximity of noise sensitive premises, I am of the opinion that the application is not consistent with the licensing objective to ensure that public nuisance does not occur.

I would hope that if all licensable music events are to be occasional only, that a suitable numerical limitation on the number of events per year could be proposed.

Noise levels from indoor live amplified music performances (albeit restricted to private bookings), will require some form of noise management in addition to a terminal time of 23:00hrs, should the current structural limitations of the premises remain. Noise levels generated within the premises will require suitable measures to prevent events being excessively audible within nearby noise sensitive premises. Options will include use of a suitable noise limiter system and/or other measures in combination, such as improved ventilation, doors and windows being kept closed throughout, and so on.

Given the above I regret to say that the objection to the application in its current form will remain. However please do not hesitate to contact me to discuss these matters further.

Edward Vandyck  
Senior Environmental Health Officer  
New Forest District Council  
(023) 8028 5160, 8028 5127 (fax)

-----Original Message-----

**From:** Rob May [mailto:rob.may@pubexpert.com]  
**Sent:** 27 July 2005 08:11  
**To:** Tony Hetherington; Edward Vandyck  
**Cc:** Rosemary Rutins; Diane Sim  
**Subject:** Re: LA03 - Green Dragon, Brook

Tony

I have also spoken to the licensees about a visit from your colleague in the EHO department, Edward van Dyck, yesterday

We agree that the trading hours now proposed for each activity will be in line with the advertisement and as set out in your e-mail, except we now offer the following FURTHER limitations re music in the hope that we can resolve the EHO objections ahead of the hearing

- 1 Live and recorded music are not intended to be offered as a way to attract the general public. These activities will be occasional only, as part of private function bookings, in both the garden and indoor areas. We are not able to predict the dates, days or total numbers of such bookings.



2 Background music, which is exempt from the Act, will be part of the normal business both indoors and outdoors, for ambience. As an exempt activity, the licensing authority has no power to put conditions upon it.

3 We offer to limit licensable music in the garden to end at or before 22.00 and indoors to end at or before 23.00 in all circumstances.

4 The EHO has asked for very specific measures for assessment of noise at the boundaries and to know if the building can be effectively soundproofed. The limitations on times are offered to avoid any such detailed conditions, as we recognise that there is a difficult balance between physical soundproofing and the character of this building and its grounds, which in our view favours not doing structural noise proofing works.

I hope Edward can agree by reply to this e-mail to withdraw his representation on these terms. If so we will circulate the agreement to the neighbours for their information ahead of the hearing.

Rob May

The Licensing Department  
The New Forest District Council  
Appletree Court  
Lyndhurst SO43 7PA

121  
Wiltshire Cottage  
Brook -  
Lyndhurst  
Hampshire  
SO43 7HE

18 July 2005

Dear Sirs

Ref: DS/PREM/CONV-DPS/07-2005/121/Green Dragon

As a close resident to The Green Dragon, I wish to place on record a number of objections to the above application.

First of all I would like to state that I have no objections to the procedures, practices and business hours as recently and currently operated under their existing licence.

I understand that it is one of the Council's main duties to consider the members of the public who live in the vicinity of the premises and to take into account such factors as the general level of background noise and the concentration of similar establishments within the vicinity of the premises.

My detailed objections are as follows:

#### PUBLIC NUISANCE

Any increase in the hours for entertainment and/or the sale of alcohol will lead to an increase in the number of people arriving and departing by car/taxi. Thus the amount and level of noise will increase and the lateness of the hour at which it takes place will be commensurately later (after 2300 hrs).

At night this will all lead to additional light pollution caused by headlights flashing on neighbouring properties. The later the hour, the more of a nuisance this becomes especially if people are in bed (after 2300 hrs).

Any increase in the permitted hours for entertainment to take place or for any additional forms of entertainment will lead to an increase in the level of noise emanating from the premises, causing considerable nuisance to the local residents.

It is customary for people to sit outside the premises at both the front and rear of the property and any alteration to the licence which allowed this to take place later than at present would cause an additional late nuisance.

These objections should be considered in the light of the area having a very low level of background noise, especially late at night.

## PUBLIC SAFETY

Any increase in traffic entering and leaving the premises will add to the traffic hazard already well-known at the junction of the B3078/3079.

This should be considered alongside similar applications made/to be made by The Golf Club, The Bell Inn and The Sir Walter Tyrrell.

On occasions at present the Car Park becomes full and people are then forced to park on adjacent verges and in the surrounding narrow roads/lanes. Any increase in the number of clientele would exacerbate this problem.

## CRIME AND DISORDER

Although we live in a low crime area, any increase in the number of people and/or the spectrum of clientele could well lead to an increased risk of crime and public order offences.

I, and other residents living close to the applicants, have sought the views and support of our local Bramshaw Parish Council who will, I assume, be expressing their position on this matter directly with you.

I look forward to your response on this matter.

Yours faithfully



Toby Cropley .

121

The Licensing Department  
The New Forest District Council  
Appletree Court  
Lyndhurst SO43 7PA

18 July 2005

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These objections should be considered in the light of the area having a very low level of background noise, especially late at night.

## PUBLIC SAFETY

Any increase in traffic entering and leaving the premises will add to the traffic hazard Already well-known at the junction of the B3078/3079 and also the very dangerous bend by the Green Dragon.

On occasions at present the Car Park becomes full and people are then forced to park on adjacent verges and in the surrounding narrow roads/lanes. Any increase in the number of clientele would exacerbate this problem.

As well as Public Safety, there is a considerable added risk to the forest animals on dark evenings. We are already experiencing an increase in traffic in this very rural village and any more would be intolerable.

All these points should be considered alongside similar applications made/to be made by The Golf Club, The Bell Inn and The Sir Walter Tyrrell.

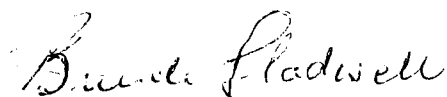
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We, and other residents living close to the applicants, have sought the views and support of our local Bramshaw Parish Council who will, I assume, be expressing their position on this matter directly with you.

I look forward to your response on this matter.

Yours faithfully,



Brenda and Ron Gladwell.  
Martins Cottage,  
Brook,  
Lyndhurst,  
SO43 7HE.

The Licensing Department  
The New Forest District Council  
Appletree Court  
Lyndhurst SO43 7PA

18 July 2005

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Any increase in the permitted hours for entertainment to take place or for any additional forms of entertainment will lead to an increase in the level of noise emanating from the premises, causing considerable nuisance to the local residents.

It is customary for people to sit outside the premises at both the front and rear of the property and any alteration to the licence which allowed this to take place later than at present would cause an additional late nuisance.

These objections should be considered in the light of the area having a very low level of background noise, especially late at night.

Brook Cottage

Brook

N<sup>o</sup> 1 Lyndhurst

Hampshire

SO43 7HE

18 July 2005

## PUBLIC SAFETY

Any increase in traffic entering and leaving the premises will add to the traffic hazard already well-known at the junction of the B3078/3079.

This should be considered alongside similar applications made/to be made by The Golf Club, The Bell Inn and The Sir Walter Tyrrell.

On occasions at present the Car Park becomes full and people are then forced to park on adjacent verges and in the surrounding narrow roads/lanes. Any increase in the number of clientele would exacerbate this problem.

## CRIME AND DISORDER

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I, and other residents living close to the applicants, have sought the views and support of our local Bramshaw Parish Council who will, I assume, be expressing their position on this matter directly with you.

I look forward to your response on this matter.

Yours faithfully



DAVID TUFT

The Licensing Department  
The New Forest District Council  
Appletree Court  
Lyndhurst SO43 7PA

Waldrons  
Brook  
Nr Lyndhurst  
SO43 7HE

18 July 2005

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PUBLIC SAFETY

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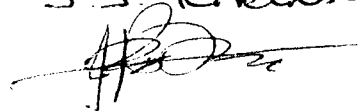
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I look forward to your response on this matter.

Yours faithfully

J. J. Robinson (Mrs)  
 (Mrs) J. J. ROBINSON  
J. ROBINSON

The Licensing Department  
The New Forest District Council  
Appletree Court  
Lyndhurst SO43 7PA

18 July 2005

OAK TREE COTTAGE  
BROOK  
LYNDHURST  
HAMPSHIRE  
SO43 7TD

Dear Sirs

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As a close resident to The Green Dragon, I wish to place on record a number of objections to the above application.

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Although we live in a low crime area, any increase in the number of people and/or the spectrum of clientele could well lead to an increased risk of crime and public order offences.

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I look forward to your response on this matter.

Yours faithfully



R. G. BLACKHAM

The Licensing Department  
The New Forest District Council  
Appletree Court  
Lyndhurst SO43 7PA

18 July 2005

121  
Paddocks Way  
Brook  
Nr. Lyndhurst  
SO43 7HE

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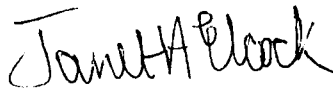
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(MRS J ELCOCK)

18<sup>th</sup> July 2005

121  
Rooks Farm  
Brook  
LYNDHURST  
SO43 7HD

Tel: 023 80 812241

The Licensing Department  
New Forest District Council  
Appletree Court  
LYNDHURST  
SO43 7PA

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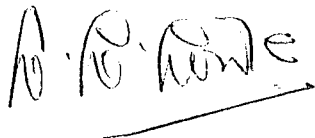
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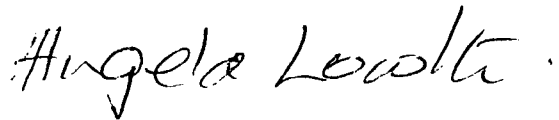
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Arthur Lowth



Angela Lowth

121  
Brook Busnes,  
Brook Hill,  
BRAMSHAW,  
SO43 7 JB

The Licensing Department  
The New Forest District Council  
Appletree Court  
Lyndhurst SO43 7PA

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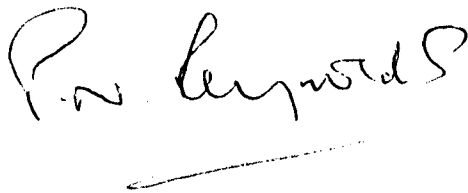
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P. W. Reynolds