

**NOTICE OF HEARING**  
**BY THE LICENSING SUB-COMMITTEE**  
under the  
**LICENSING ACT 2003**

**APPLICATION: BUTLER'S BAR AND GRILL,  
SHAFTESBURY STREET,  
FORDINGBRIDGE**

**Date and Time: TUESDAY, 20 SEPTEMBER 2005 AT 4.00 p.m**

**Place: COMMITTEE ROOM 4, APPLETREE COURT, LYNDHURST**

**Telephone enquiries to: Lyndhurst (023) 8028 5000  
Direct Line (023) 8028 5236  
E-mail: kate.mason@nfdc.gov.uk**

*These papers are also available on audio tape, in Braille, large print and digital format*

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**THE RELEVANT PAPERS ARE ATTACHED**

**A large scale map of the premises will be available at the meeting**

**To: Members of the Sub-Committee:**

Cllr W H Dow  
Cllr J M Hoy

Cllr J A G Hutchins

**Parties to the hearing:**

Mr J and Mrs L Butler – applicants  
Whitehead Vizard Solicitors – applicants' representatives  
Mr and Mrs N Fotheringham – objectors  
Mr W Cole – objector

**Copies for Information:**

Cllrs R C H Hale and Lt Col M J Shand - Local Members  
Fordingbridge Town Council  
Licensing - A Hetherington/M Powell  
Legal Services - Ms G O'Rourke  
Legal Services - Ms J Mutlow

**(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**

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**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/W JOHN CHARLES & LYNDA BUTLER

e .....

**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> Butler's Bar & Grill (Royal Arms Hotel) 1 Shaftesbury Street			
<b>Post town</b>	Fordingbridge	<b>Post code</b>	SP6 1JF

Telephone number of premises (if any)	01425 652099
Non-domestic rateable value of premises	£ 0.000

**Part A2 - Applicant Details**

Please state the capacity in which you are 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 <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> BUTLER			<b>First names</b> JOHN CHARLES		
I am 18 years old or over					<input checked="" type="checkbox"/> Please tick yes
<b>Current postal address if different from premises address</b>		Butler's Bar & Grill (Royal Arms Hotel) 1 Shaftesbury Street			
<b>Post Town</b>	Fordingbridge			<b>Postcode</b>	SP6 1JF
<b>Daytime contact telephone number</b>		01425 652099			
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)**

Mr <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> BUTLER			<b>First names</b> LYNDA		
I am 18 years old or over					<input checked="" type="checkbox"/> Please tick yes
<b>Current postal address if different from premises address</b>		Butler's Bar & Grill (Royal Arms Hotel) 1 Shaftesbury Street			
<b>Post Town</b>	Fordingbridge			<b>Postcode</b>	SP6 1JF
<b>Daytime contact telephone number</b>		01425 652099			
<b>E-mail address (optional)</b>					

**(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

General description of premises (please read guidance note 1)

General Public House with Beer Garden
---------------------------------------

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

0

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

**Provision of regulated entertainment**

Please tick Yes

- |   |                                     |
|---|-------------------------------------|
| a) plays  | <input type="checkbox"/>            |
| b) films  | <input type="checkbox"/>            |
| c) indoor sporting events   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment  | <input type="checkbox"/>            |
| e) live music   | <input type="checkbox"/>            |
| f) recorded music   | <input checked="" type="checkbox"/> |
| g) performances of dance  | <input type="checkbox"/>            |
| h) anything of a similar description to that falling within (e), (f) or (g) | <input type="checkbox"/>            |

**Provision of entertainment facilities for:**

- |   |                          |
|---|--------------------------|
| i) making music   | <input type="checkbox"/> |
| j) dancing  | <input type="checkbox"/> |
| h) entertainment of a similar description to that falling within (i) or (j) | <input type="checkbox"/> |

**Provision of late night refreshment**

**Sale by retail of alcohol**

- |                                     |                                     |
|-------------------------------------|-------------------------------------|
| a) for consumption on the premises  | <input checked="" type="checkbox"/> |
| b) for consumption off the premises | <input checked="" type="checkbox"/> |

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

Name

JOHN CHARLES BUTLER

Address

Butler's Bar & Gril  
1 Shaftesbury Street  
Fordingbridge  
Hampshire  
SP6 1JFI

Personal Licence number, if known,

Currenly being applied for at NFDC

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.

Standard Licensing hours are:

Weekdays 0800-2300  
Sundays 1000-2230 &  
Christmas day - 1200 -1500 & 1900-2230  
All plus 20 min drink up time

Plus any extensions granted thru legislation by Central or Local government from time to time.

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)**

Under age sales and awareness as regards the drugs scene.  
Experienced licence holders.

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

**c) Public safety**

**d) The prevention of public nuisance**

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

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- |   |                                     |
|---|-------------------------------------|
|   | <b>Please tick Yes</b>              |
| • I have made or enclosed payment of the fee  | <input checked="" type="checkbox"/> |
| • I have enclosed my existing licence(s) or a certified copy of each licence                          | <input checked="" type="checkbox"/> |
| • I have enclosed a plan of the premises  | <input checked="" type="checkbox"/> |
| • I have sent copies of this application to the chief officer of police (please read guidance note 3) | <input checked="" type="checkbox"/> |
| • I have enclosed the consent form completed by the proposed premises supervisor, if relevant         | <input checked="" type="checkbox"/> |
| • I have enclosed the consent of the justices' licence holder to my application, if relevant          | <input checked="" type="checkbox"/> |
| • I understand that if I do not comply with the above requirements my application will be rejected    | <input checked="" type="checkbox"/> |

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, 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	
Date	July 2005
Capacity	

**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	
Date	July 2005
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 7)

David Ridley  
Whitehead Vizard (Solicitors)  
Close Gate Chambers  
60 High Street

<b>Post town</b>	Salisbury	<b>Post code</b>	SP1 2PQ
<b>Telephone number</b>	01722 412141		
<b>E-mail address (optional)</b>			

**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.**

d)

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

I/W JOHN CHARLES & LYNDA BUTLER

e

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[Insert name of applicant]

**being the proposed premises licence holder 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 (delete as applicable) 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



Day

Month

Year

If not when do you want the variation to take effect from

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

1. Permit sale of alcohol from 0800 - 0000 Sunday - Wednesday and between 0800 - 0100 Thursday's, Friday's, Saturday's, Public and Statutory Holidays and New Year's Eve plus 30 mins drink up time;
2. Permit regulated entertainment comprising live music, compere for functions/quizzes and other pub games with an audience all year round between 1200 - 2300;
3. Permit regulated entertainment comprising recorded music and films (video juke box) between 0800 - 0000 Sunday - Wednesday and between 0800 - 0100 Thursday's, Friday's, Saturday's, Public and Statutory Holidays and New Year's Eve;
4. Provision for facilities for making music and other functions quizzes/pub games with an audience all year round between 1200 - 2300;

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 0

## 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)

### **Provision of regulated entertainment**

Please tick Yes

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

### **Provision of entertainment facilities:**

- |   |                                     |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I)   | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)  | <input type="checkbox"/>            |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

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

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

**Please complete Part B3 on this form.**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both</b> – please tick (please read guidance note 9)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 10)			
Mon						
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 11)			
Wed						
Thur			<b>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</b> (please read guidance note 12)			
Fri						
Sat						
Sun						

**B**

<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</b> – please tick (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 10)		
Mon					
Tue					
Wed					
Thur					
			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 11)		
Fri			<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					
Sun					

N/A  


**C**

Indoor sporting events Standard days and timings (please read guidance note 8)			<b><u>Please give further details</u></b> (please read guidance note 10)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 11)
Wed			
Thur			<b><u>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</u></b> (please read guidance note 12)
Fri			
Sat			
Sun			

**D**

<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 (please read guidance note 9)</b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 10)		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 11)		
Wed					
Thur			<b><u>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</u></b> (please read guidance note 12)		
Fri					
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</b> – please tick (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 10) Live amplified music once a week. Times sought to allow flexibility.		
Mon	1200	2300			
Tue	1200	2300			
Wed	1200	2300	<b>State any seasonal variations for the performance of live music</b> (please read guidance note 11)		
Thur	1200	2300			
Fri	1200	2300	<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</b> (please read guidance note 12)		
Sat	1200	2300			
Sun	1200	2300			



F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 10)		
Mon	0800	0000	Juke Box		
Tue	0800	0000			
Wed	0800	0000	<b>State any seasonal variations for playing recorded music</b> (please read guidance note 11)		
Thur	0800	0100			
Fri	0800	0100	<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) Bank Holidays/Statutory Holidays and New Year's Eve 0800 - 0100		
Sat	0800	0100			
Sun	0800	0000			

**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</b> – please tick (please read guidance note 9)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
Both	<input type="checkbox"/>							
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 10)					
Mon								
Tue								
Wed						<b>State any seasonal variations for the performance of dance</b> (please read guidance note 11)		
Thur								
Fri								
Sat						<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)		
Sun								

**H**

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)</p>			<p><b>Please give a description of the type of entertainment you will be providing</b> Compere for functions, quizzes etc including pub games with an audience.</p>		
Day	Start	Finish	<p><b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 9)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	1200	2300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1200	2300	<p><b>Please give further details here</b> (please read guidance note 10) variety of entertainment once/twice a week to attract clientele</p>		
Wed	1200	2300			
Thur	1200	2300			
Fri	1200	2300	<p><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)</p>		
Sat	1200	2300	<p><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)</p>		
Sun	1200	2300			

1

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 8)			<b>Please give a description of the facilities for making music you will be providing</b> Area near female wc's to be made available. Only electricity supplied.	
			<b>Will the facilities for making music be indoors or outdoors or both – please tick</b> (please read guidance note 9)	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 10) Entertainment to be provided once a week. Variety of day's sought to allow complete flexibility.	
Mon	1200	2300		
Tue	1200	2300		
Wed	1200	2300		
Thur	1200	2300		
Fri	1200	2300		
Sat	1200	2300		
Sun	1200	2300		
			<b>State any seasonal variations for the provision of facilities for making music</b> (please read guidance note 11)	
			<b>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</b> (please read guidance note 12)	

**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 (please read guidance note 9)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 10)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 11)		
Thur					
Fri			<b>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</b> (please read guidance note 12)		
Sat					
Sun					

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 8)			<b><u>Please give a description of the type of entertainment facility you will be providing</u></b> Compere for functions, quizzes etc including pub games with an audience. Small amplifier will be provided.		
Day	Start	Finish	<b><u>Will the entertainment facility be indoors or outdoors or both – please tick</u></b> (please read guidance note 9)	Indoors	<input checked="" type="checkbox"/>
Mon	1200	2300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	1200	2300	<b><u>Please give further details here</u></b> (please read guidance note 10)		
Wed	1200	2300			
Thur	1200	2300	<b><u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u></b> (please read guidance note 11)		
Fri	1200	2300			
Sat	1200	2300	<b><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></b> (please read guidance note 12)		
Sun	1200	2300			

L

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

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 13)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 11)		
Mon	0800	0000			
Tue	0800	0000			
Wed	0800	0000			
Thur	0800	0100			
Fri	0800	0100			
Sat	0800	0100			
Sun	0800	0000			
			<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</b> (please read guidance note 12) Bank Holidays/Statutory Holidays and New Year's Eve 0800 - 0100		

**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

**O**



<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 11)
Day	Start	Finish	
Mon	0800	0030	
Tue	0800	0030	
Wed	0800	0030	
Thur	0800	0130	
Fri	0800	0130	
Sat	0800	0130	
Sun	0800	0030	<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</b> (please read guidance note 12) Bank Holidays/Statutory Holidays and New Year's Eve 0800 - 0130

**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

None

**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)**

Please see below

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

- Experienced Designated Premises Supervisor;
- Drinks consumed on premises outside in designated beer garden (closes at 2300)
- records kept re incidents (none to date);

**c) Public safety**

- First Aiders within staff members;
- Fire checks every 6 months;
- Good external lighting re Beer Garden

**d) The prevention of public nuisance**

- Experienced Designated Premises Supervisor;
- Signage when leaving premises to keep noise down and to respect fact that residents in area;

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

- gaming machines in sight of bar area;
- family dining area;
- children only allowed onto premises on Friday and Saturday's if accompanied by a supervising adult up to 2200 on days when no live music entertainment provided;
- plenty of non-alcoholic drinks

**Part B3 – Premises Supervisor**

**Full name of proposed designated premises supervisor**  
John Charles Butler

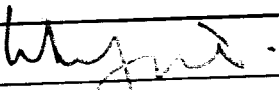
**Address of proposed designated premises supervisor**  
Butler's Bar & Grill  
1 Shaftesbury Street  
Fordingbridge  
Hampshire  
SP6 1JF

**Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable**  
This is being applied for in conjunction with this application

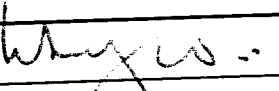
- Please tick Yes
- I enclose the consent form completed by the proposed premises supervisor
  - I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003)
  - I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003)
  - I understand that I must now advertise my application to vary (section 34 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	
Date	26 July 2005
Capacity	Applicant's Solicitor

**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	
Date	26 July 2005
Capacity	Applicant's Solicitor

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

David Ridley  
 Whitehead Vizard Solicitors  
 Close Gate Chambers  
 60 High Street

<b>Post town</b>	Salisbury	<b>Post code</b>	SP1 2PQ
------------------	-----------	------------------	---------

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

JOHN CHARLES BUTLER

I,

*[insert first names and surname of prospective premises supervisor]*

hereby consents to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to

JOHN CHARLES & LYNDA BUTLER

*[insert full name of applicant]*

in respect of the application to convert an existing justices' licence held by the applicants

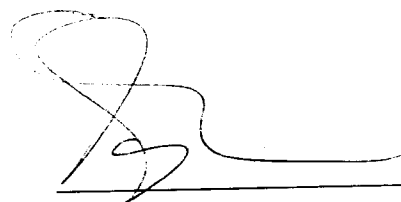
*[delete as applicable]*

for

Butler's Bar & Grill (Royal Arms Hotel), 1 Shaftesbury, Fordingbridge, Hampshire,  
SP6 1JF

*[insert name and address of existing licensed premises]*

if that application is successful.



Signed

21 July 2005

Dated

**IN THE COUNTY OF HAMPSHIRE**  
**APPLICATION TO RENEW JUSTICES' LICENCE**

Date of Session : 2nd February 2004

Permit/Licence No : 431

Liquor Type : ALL INTOXICATING LIQUOR

Licence Holders :  
**Lynda Butler**  
**John Butler**

Name & Address of Premises :  
**ROYAL ARMS HOTEL**  
**1 Shaftesbury Street**  
**Fordingbridge**  
**Hampshire SP6 1JF**

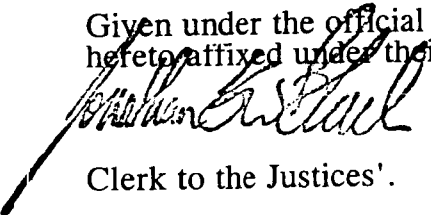
Owner : **John and Lynda Butler**

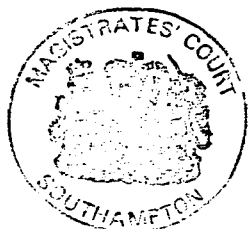
**JUSTICES' ON LICENCE**

THIS RENEWED JUSTICES' ON LICENCE as described above, hereby authorises the person(s) above, to sell by retail at the above premises the type of liquor stated for consumption either on or off the premises.

This licence is granted subject to the attached conditions and undertakings (if any) and shall have effect from the date hereof until the end of the fourth day of April 2007.

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

  
Clerk to the Justices'.



Certified a true and complete  
copy of the original

15 AUG 2005

NFDC Licensing Services

# ~~A~~ Amendments

## (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.

I/W JOHN CHARLES & LYNDA BUTLER

e

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> Butler's Bar & Grill (Royal Arms Hotel) 1 Shaftesbury Street			
<b>Post town</b>	Fordingbridge	<b>Post code</b>	SP6 1JF

Telephone number of premises (if any)	01425 652099
Non-domestic rateable value of premises	£ 10,500

#### Part A2 - Applicant Details

Please state the capacity in which you are 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)   |

**SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)**

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b> BUTLER			<b>First names</b> LYNDA		
<b>I am 18 years old or over</b>					Please tick yes
<b>Current postal address if different from premises address</b>		Butler's Bar & Grill (Royal Arms Hotel) 1 Shaftesbury Street			
<b>Post Town</b>	Fordingbridge			<b>Postcode</b>	SP6 1JF
<b>Daytime contact telephone number</b>			01425 652099		
<b>E-mail address (optional)</b>					

**(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.

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

**Part A3 - Operating Schedule**

General description of premises (please read guidance note 1)

Genreal Public House with Beer Garden
---------------------------------------



new licence

Name

JOHN CHARLES BUTLER

Address

Butler's Bar & Gril  
1 Shaftesbury Street  
Fordingbridge  
Hampshire  
SP6 1JFI

Personal Licence number, if known,

Currently being applied for at NFDC

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.

Standard Licensing hours are:

Weekdays 0800-2300  
Sundays 1000-2230 &  
Christmas day - 1200 -1500 & 1900-2230  
All plus 20 min drink up time

Plus any extensions granted thru legislation by Central or Local government from time to time.

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)**

Under age sales and awareness as regards the drugs scene.  
Experienced licence holders.

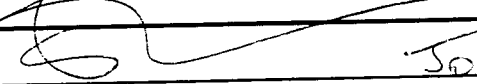
**b) The prevention of crime and disorder**

**c) Public safety**

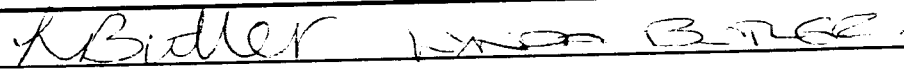
**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**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	 JOHN BURNER
Date	21 July 2005
Capacity	PARTNER / CO-OWNER

**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	 LINDA BIRGE
Date	21 July 2005
Capacity	PARTNER / CO-OWNER

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 7)

David Ridley  
Whitehead Vizard (Solicitors)  
Close Gate Chambers  
60 High Street

Post town	Salisbury	Post code	SP1 2PQ
Telephone number	01722 412141		
E-mail address (optional)			

**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.**

To:	All Responsible Authorities under the Licensing Act 2003
Our Ref:	DS\PREM\CONV-DPS-VAR\08-2005\315\Butler's
Date:	15 Aug 2005
<b>Application Type:</b>	<b>Premises - Conversion &amp; Specification DPS &amp; Variation (Transition)</b>
<b>Premise Details:</b> (If Relevant)	<b>Butler's Bar &amp; Grill</b> <b>1 Shaftesbury Street</b> <b>Fordingbridge</b> <b>Hampshire</b> <b>SP6 1JF</b>
<b>Applicant Details:</b>	<b>Mr John Charles Butler</b> <b>and Mrs Lynda Butler</b>

### LICENSING ACT 2003

## CONSULTATION

I should be pleased if you will assess the application and, if after due consideration, you wish to make representation you must advise the Council of the details of that representation by no later than **29/08/2005** .

If we do not hear from you by that date we will assume you do not wish to offer a representation and continue with the licence application process.

#### Response:

19-08-05

Based on the e-mail confirmation (details reproduced below) from Whitehead Vizard, Solicitors acting for the applicants, Mr and Mrs Bulter, that the Operating Schedule can be amended to include the following:

*The music volume from the juke box will be turned down at 23:00 to such a level so as not to cause noise nuisance to the occupants of any noise sensitive premises'*

I do not wish to object to this application.

Carole Gallagher

**From:** David Ridley [dr@whitehead-vizard.co.uk]

**Sent:** 18 August 2005 15:55

**To:** Carole Gallagher

**Subject:** RE: Premises Licence Application - Butler's Bar and Grill, Shaftesbury Street, Fordingbridge - Your ref DR JGS 944-7

Dear Ms Gallagher

Thanks for your quick response.

I can confirm that this e-mail can be sent to the licensing authority confirming the modification you have suggested in the light of our discussions.

I fully accept that you still retain powers as regards the Environmental Protection Act and noise nuisance. As I stated in my earlier e-mail my client has no wish to create a noise nuisance.

If I can be of any further help then please call me.

Kind regards – David Ridley

---

Whitehead Vizard, Solicitors  
Close Gate Chambers, 60 High Street, Salisbury, Wiltshire. SP1 2PQ

DX 58007 Salisbury 1

Telephone : +441722 412141

Facsimile : +441722 411177

**From:** Carole Gallagher

**Sent:** 18 August 2005 15:29

**To:** 'dr@whitehead-vizard.co.uk'

**Subject:** RE: Premises Licence Application - Butler's Bar and Grill, Shaftesbury Street, Fordingbridge - Your ref DR JGS 944-7

Dear Mr Ridley,

Thank you for your response and I note your comments about free play and un-regulated entertainment. I have to admit to not knowing whether this is the case or not but assuming that you are correct and it is un-regulated, then we wouldn't be able to comment under the Licensing regime, but would of course still be able to take action for noise nuisance should the situation arise.

Can you please confirm that the operating schedule can now be amended to include these controls i.e that the music from the juke box will be turned down at 23:00 to such a level so as not to cause noise nuisance to the occupants of any noise sensitive premises.

Many thanks

Carole Gallagher

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

**From:** David Ridley [mailto:dr@whitehead-vizard.co.uk]

**Sent:** 18 August 2005 14:49

**To:** Carole Gallagher

**Subject:** RE: Premises Licence Application - Butler's Bar and Grill, Shaftesbury Street, Fordingbridge - Your ref DR JGS 944-7

Dear Sirs

Many thanks for your e-mail upon which I have taken instructions.

Principally the closest residential accommodation is a flat above a hairdresser next door. Our clients will liaise with the occupier from time to time to ensure that there is no noise nuisance.

At 2300 the video juke box will be turned down and a check made outside that the music cannot be clearly heard. The machine will also be placed on free play. This additionally places the entertainment in the category of unregulated entertainment as opposed to regulated entertainment under the Licensing Act 2003. As unregulated entertainment officially, as I understand it, it is beyond the control of environmental health.

I wish to emphasise that my clients do not wish to create a noise nuisance and that the equipment will be turned down at the appropriate time.

I hope the above clarifies the position and addresses the concerns that your

department has.

If you wish to discuss anything further with me then please feel free to contact me by telephone. My aim is assisting clients is to avoid confrontation by sensible negotiation.

Regards - - David Ridley

---

Whitehead Vizard, Solicitors  
Close Gate Chambers, 60 High Street, Salisbury, Wiltshire. SP1 2PQ

DX 58007 Salisbury 1

Telephone : +441722 412141  
Facsimile : +441722 411177

Important Note: This message contains confidential information which is intended to be passed to the addressee only. Please advise the sender by telephone on the number shown above if this message has been sent in error to the wrong address. We acknowledge that E-mail is not an entirely secure medium of communication and you should be aware of this when replying. Although we believe that any attachments are free from any virus, we can give no guarantee.

---

**From:** Carole Gallagher [mailto:Carole.Gallagher@NFDC.gov.uk]  
**Sent:** 17 August 2005 14:25  
**To:** dr@whitehead-vizard.co.uk  
**Subject:** FW: Premises Licence Application - Butler's Bar and Grill, Shaftesbury Street, Fordingbridge - Your ref DR JGS 944-7

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

**From:** Carole Gallagher  
**Sent:** 17 August 2005 14:24  
**To:** 'dr@whitehead-vizard.co.uk'  
**Subject:** Premises Licence Application - Butler's Bar and Grill, Shaftesbury Street, Fordingbridge - Your ref DR JGS 944-7

Dear Sirs,

I note that you are acting for the applicants, Mr and Mrs Butler and I would be grateful for your clarification on a particular point.

Section F (Recorded music) of the application refers to the fact that music from a juke box will be played up until midnight on Sunday to Monday and 01:00 on Thursday through to Saturday, including Bank Holidays and New Year's Eve. You will have seen from this Authority's Licensing policy that after 23:00 the criteria for any amplified music is that it should be inaudible inside any noise sensitive premises ie residential property.

I would therefore be grateful for your confirmation that the Operating Schedule will be amended to reflect that after 23:00 the music noise levels from the juke box will be strictly controlled to ensure that music and vocals are not heard inside any noise sensitive premises. It would also be helpful if you could indicate what controls will be put in place to achieve this.

If at all possible I would be grateful if you could respond by Friday 19th August as

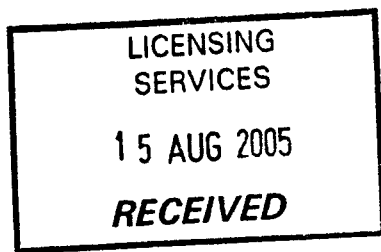
thereafter I will be on leave. If this is too tight a time frame then please contact my colleague Mat Robinson in my absence (mat.robinson@nfdc.gov.uk) but our deadline for making our comments back to Licensing is the 25th August so we will need to hear from you by 24th August at the very latest.

I look forward to hearing from you.

Yours faithfully

Carole Gallagher

Environmental Protection Manager



Mr & Mrs N Fotheringham  
10 Shaftesbury Street  
Fordingbridge  
Hampshire SP6 1JF

Licensing Services  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hampshire SO43 7PA

10 August 2005

Dear Sir, Madam

We write in reference to an application made by John Charles Butler and Lynda Butler of Butler's Bar & Grill (Royal Arms Hotel) Shaftesbury Street, Fordingbridge, Hampshire; for a variation to the Premises licence under the Licensing Act 2003.

This application requests that the hours for the sale of alcohol to be extended to the following:

0800 – 0000 Sunday – Wednesday  
0800 – 0100 Thursdays, Fridays, Saturdays, Public and Statutory Holidays and New Year's Eve plus 30 minutes drink up time;

The application also requests that regulated entertainment comprising recorded music and films (video juke box) between 0800 – 0100 Thursdays, Fridays, Saturdays Public and Statutory Holidays and New Year's Eve.

Our home is adjacent to this public house and we have lived there for the past six years. We are a young family (our daughter is four years old) and we are expecting a second Child in the New Year. We appreciate that living in such close proximity to a public house and the centre of Fordingbridge does mean that a certain level of noise and disruption will take place during the peak times of usage at the local pubs.

Our concerns are that should these extended hours be granted the current noise levels and anti social behaviour will not just increase but the time in which these incidents occur will be prolonged and have a detrimental effect on our family's quality of life.

The proposal to extend opening hours to 0000 Sunday to Wednesday with drinking up time added to these hours extend this to 0030 and then the noise and disruption of people leaving the premises will go on until at least 0100. This in our opinion is inconsiderate when we have to get up at 0600 every morning and then go to our respective jobs on what could only be described as minimal sleep. The same applies for the proposal to extend to 0100 Thursday – Saturday including Public and Statutory Holidays. Fordingbridge is a small town where after 2300 there are no taxis, no nightclubs, no restaurants and more importantly no police to deal with the many people who stream out of the local pubs. We already have a problem with anti-social behaviour, swearing and fighting after pub closing time with no police to deal with

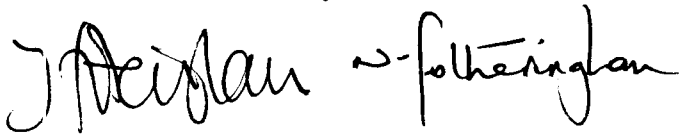
the existing problem let alone when there are more people with more alcohol in the early hours of the morning coming out of the pub. People stand outside our homes shouting and swearing once they have left the pub and this can often lead to fighting. Who is going to deal with these public order issues when there are no police resources to dispatch to Fordingbridge?

Butlers has a large garden which is used until closing time, there are large iron gates which access this garden from the road, and these are adjacent to our house. The constant opening and closing of these gates and the noise levels from the garden users in late evening is already something of a nuisance which will obviously continue into the small hours and exacerbate if permission is granted.

The same issues of noise pollution and our quality of life apply with regards to the extension of the hours permitting recorded music to be played. Our houses are in such close proximity to the pub that music being played into the small hours will be as if we are playing it in our own homes. We will have no control whatsoever regarding the level of noise pollution created during this time by both customers and music, this will make our lives a misery.

To conclude, we most strongly object to the applications to extend these hours on the grounds that the additional noise will be detrimental to the immediate neighbours of the pub and our quality of life will be detrimentally affected.

Kind Regards  
Yours Faithfully

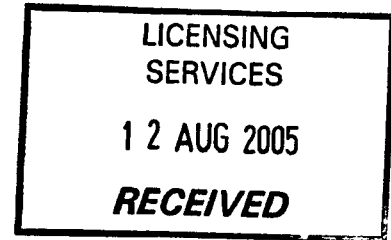
A handwritten signature in black ink, appearing to read 'J. Fotheringham', with a stylized flourish at the end.

Mr N Fotheringham  
Mrs J Fotheringham



Mr W Cole  
8 Shaftesbury Street  
Fordingbridge  
Hants  
SP6 1JF

Licensing Services  
New Forest District Council  
Appletree Court  
Lyndhurst  
Hants  
SO43 7PA



August 11<sup>th</sup> 2005

Dear Sir/Madam,

I am writing to register a formal objection to the proposed extension of licensing hours for Butlers bar and Grill, 1 Shaftesbury Street, Fordingbridge, Hants. I am one of the many residents that live in close proximity to this pub.

This particular pub is already a particularly noisy one. It has a metal gate at it's side entrance that is very loud when it is opened and closed, and this seems to be done up until 2am in the morning on some nights. The music it plays is often clearly audible in our living room, bedroom and rear garden. If the proposed extensions are granted this will only get worse.

After 12am in Fordingbridge, there is no taxi service. There is also no police presence in Fordingbridge in the evenings. Having moved a few years ago from a city centre dwelling, I know all too well the impact that late night drinking has on one's living environment. There will be people of an intoxicated nature spilling on to the quiet streets of Fordingbridge being particularly loud, and with no means of getting home.

What then happens if a fight breaks out? Who then is responsible for breaking this up? Our home, as with many local businesses, is on the main street as you come out the pub. I for one will be particularly concerned about my front window being damaged or defaced, and I know I am not alone with this concern.

Fordingbridge offers an excellent quality of life, with a strong bias towards families. Indeed, both our neighbours have young children, and my wife and myself have discussed starting a family. The impact of late night disruption to young families is severe, and I for one would not bring up a young child in an area with a rowdy pub on one's doorstep – indeed, no sensible parent would. In short, we would have to consider leaving an area that we immensely enjoy living in.

I sincerely hope that you do not allow this application to be processed. I would appreciate being kept informed on its progress, as well as any feedback on this letter that you may have for me.

Yours faithfully,

Handwritten signature of Mr W Cole.

Mr W Cole