

APPLICATION FOR REVIEW OF A PREMISES LICENCE - BUTLERS BAR & GRILL, 1 SHAFTESBURY STREET, FORDINGBRIDGE

1. INTRODUCTION

- 1.1 The purpose of this report is to consider an application for the review of a premises licence under Section 51 of the Licensing Act 2003.

2. APPLICATION

- # 2.1 Hampshire Constabulary has made an application for the review of Butlers Bar & Grill, 1 Shaftesbury Street, Fordingbridge, SP6 1JF. The application is attached as **Appendix 1**.

3. REPRESENTATIONS

- 3.1 An additional representation supporting the application has been received from the Public Health Department. This is attached as **Appendix 2**.

4. REQUIREMENTS FOR A HEARING

- 4.1 The Licensing Authority must hold a hearing to consider the review application and representation.
- 4.2 The relevant paragraphs, 11.1 – 11.11 & 11.16 – 11.28 of the Home Office guidance issued under Section 182 of the Licensing Act 2003 are attached as **Appendix 3**.

5. CONCLUSION

- 5.1 The Licensing Sub-Committee must, having regard to the application, consider which of the following measures are appropriate for the promotion of the licensing objectives:
- To modify the conditions of the licence;
 - To exclude a licensable activity from the scope of the licence;
 - To remove the designated premises supervisor;
 - To suspend the licence for a period not exceeding three months;
 - To revoke the licence;
 - To take no further action in this matter.

6. RECOMMENDATION

- 6.1 That the Licensing Sub-Committee determines the application.

Further Information:

Paul Weston
Licensing Services
Tel: 023 8028 5505
Email: licensing@nfdc.gov.uk

Background papers:

Appendix 1(S51 Review Application)
Appendix 2 (Relevant Representation)
Appendix 3 (Home Office Guidance)

Review of: **Butlers Bar and Grill**
1 Shaftesbury Street,
Fordingbridge

Contents

G90 Application for Review

Annex 1

1. Working Sheet Police Staff 13085 Fice 08/03/2012
2. Letter dated 08/03/2012.
3. Dispatch Log dated 07/04/2012
4. Working Sheet Pc Deniz 12/04/2012
5. Dispatch Log dated 20/05/2013
6. Working sheet Pc Wood dated 22/06/2012
7. Letter dated 25/06/2012
8. Dispatch Log dated 29/09/2012
9. Working Sheet Pc Green 30/09/2012
10. Working Sheet Pc Morant 30/09/2012
11. Working Sheet Pc Hooper 30/09/2012
12. Letter dated 06/12/2012
13. Letter dated 11/12/2012
14. Letter dated 09/01/2012
15. Statement of PS 18 Plascott dated 01/08/2013
16. Working sheet Pc Deniz dated 01/03/2013
17. Working Sheet Pc Maddock dated 21/05/2013
18. Working Sheet PS Towler dated 18/05/2013
19. Dispatch Log dated 08/06/2013
20. Occurrence Summary dated 08/06/2013
21. Working sheet Pc Irving dated 08/06/2013
22. Statement dated 23/06/2013
23. Working sheet Pc Irving dated 01/07/2013
24. Working sheet Pc Deniz dated 11/06/2013
25. Working sheet Ps Plascott dated 11/06/2013
26. Letter dated 11/06/2013
27. Dispatch Log dated 22/06/2013
28. Working sheet Ps Towler dated 29/06/2013
29. Pocket note book entry of Pc Deniz dated 28/06/2013
30. Working sheet Ps Plascott dated 05/07/2013
31. Document produced by Butlers Bar and Grill reference internal proposals.
32. Working sheet Ps Plascott dated 06/07/2013
33. Statement of Pc Conway dated 12/07/2013
34. Statement dated 05/07/2013
35. Statement dated 30/06/2013
36. Statement of Pc Deniz dated 23/07/2013
37. Statement of Ps Towler dated 28/07/2013

Annex 2

1. Premises Licence



Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

I Ps 18 Christine Plascott, on behalf of the Chief Officer of Hampshire Constabulary, (Insert name of applicant)

- Apply for the review of a premises licence.
Apply for the review of a club premises certificate.
Make a representation about a premises licence/club premises certificate

Premises or Club Premises details

Table with 2 columns: Postal address of premises, Postcode (if known). Contains address: Butlers Bar and Grill, 1 Shaftesbury Street, Fordingbridge, Hampshire and postcode: SP6 1JF.

Name of premises licence holder or club holding club premises certificate (if known) Mr John Charles BUTLER & Mrs Lynda BUTLER

Number of premises licence or club premises certificate (if known) 542/2

Details of responsible authority applicant

Form with fields for title (Mr/Mrs/Miss/Ms/Other), surname (PLASCOTT), first names (CHRISTINE), current postal address (Southampton Central Police Station), postcode (SO15 1AN), daytime telephone number (02380 674768), and optional e-mail address (western.licensing@hampshire.pnn.police.uk).

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003





Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003

This application to review relates to the following licensing objective(s)

Select one or more boxes

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance
- 4) The protection of children from harm

Please state the grounds for review which must be based on one or more of the licensing objectives together with supporting information:

On behalf of the Chief Officer of Police I am writing to request a review of the above Premises Licence.

The review is requested on the following grounds:

- 1) The prevention of crime and disorder
- 2) Public safety
- 3) The prevention of public nuisance

The Police make this request based on events that have occurred at the premises whilst under the control of the current Designated Premises Supervisor, Mrs Lynda Butler and concerns over Mrs Butler's ability to support the licensing objectives.

Since Mrs Butler took over the premises on 20th March 2012 there have been significant concerns regarding crime and disorder which has been linked to the premises and Mrs Butler's inability to accept and address these issues along with numerous complaints regarding anti-social behaviour from members of the public. Outlined below are key incidents that have occurred at the premises since Mrs Butler became Designated Premises Supervisor along with intelligence, witness statements and ION Track drugs swabbing evidence.

Mrs Lynda Butler became the Designated Premises Supervisor for Butlers Bar and Grill on 20th March 2012. This was shortly after a licensing meeting held at the premises on the 24th February 2012, this meeting was attended by Ps 3555 Marshman, Georgie Fice (Licensing Assistant, Hampshire Police) and Mrs Butler, who was also one of the premises licence holders (see Item 1). During this meeting Mrs Butler did not demonstrate knowledge of the four licensing objectives and was provided with advice in relation to how she could support them and demonstrate high standards of managing a licensed premises. She did not have a written training package, a refusals log or an age verification policy. She did not know how to operate her CCTV and had very few entries in the refusals book. During the visit Mrs Butler stated that several scuffles often broke out in the evenings at the premises but these would result in persons being ejected from the premises and the incidents would not be reported to the police. Mrs Butler also informed the officers that she was aware of there being a significant drug problem in the town of Fordingbridge, she was advised to



**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 3 of 11

report any information regarding this to the police. The officers visit report states that Mrs Butler responded by saying "I wouldn't have anyone in the premises if I reported everything". This comment did not demonstrate Mrs Butler's support for the licensing objectives or that she was working with the police.

It was strongly recommended to Mrs Butler that she should implement a refusals/incident book and a written staff training package with records for all staff. She was advised to report all incidents that occurred to the police and to learn how to use the CCTV system, including checking the system on a weekly basis. Mrs Butler was also provided with advice in relation to preventing drug use at her premises. Mrs Butler advised that she would implement all of the police recommendations. Following this meeting Mrs Butler was sent a letter confirming all of the recommendations (Item 2).

At 00:26 hours on the Saturday 7th April 2012 it was reported to police that a fight had occurred inside Butlers Bar and Grill and this incident had resulted in a large group or between 20-30 persons congregating and fighting outside of the premises (Item 3). During a follow up visit by Pc 20730 Deniz Mrs Butler advised him that there had been a fight between two known customers and she had ejected one of the customers. The person reporting the incident was local resident who was disturbed by the noise. Mrs Butler, who was present during the incident, had failed to call the police at the time and had not taken steps at any later stage to report it to the police. Mrs Butler was asked to provide a statement in relation to the incident but she advised Pc Deniz that she was not willing to do so and would not assist police in anyway (Item 4). This demonstrates a lack of support for the licensing objectives, in particular the prevention of crime and disorder, prevention of public nuisance as well as a failure to support the police.

At 0116 hours on the Sunday 20th May 2012 Mrs Butler called the police to report that she had been slapped in the face by one of her customers (Item 5). She stated that she only wished for the incident to be logged but did not want any police involvement and would not support any arrest or prosecution in relation to the offender. This incident demonstrates a lack of support for the licensing objectives by Mrs Butler and an unwillingness to work with and support the police.

On the 22nd June 2012 a further Licensing meeting was held at the premises, this meeting was attended by Pc 24191 Wood, Pc 21521 Smith, Pc 20730 Deniz and Mrs Butler (Item 6). At the meeting the previous recommendations that had been raised on the visit on the 24/02/12 were discussed. Mrs Butler had not put the recommendations in place despite having previously stated that she would and stated that she had not been ensuring that consistent toilet checks were carried out. She also advised that her CCTV system was not operational. Mrs Butler was reminded that she was not demonstrating due diligence nor support of the licensing objectives. Pc Wood offered to send Mrs Butler details of suitable training packages and to attend and assist. Further advice was provided and a letter was sent to Mrs Butler after the meeting confirming all of the recommendations provided by the police (Item 7).

On Saturday 29th September 2012 at approximately 21:34 hours a serious assault occurred outside of the premises involving three persons who had been drinking at the premises (Items 8 & 9). All three walked outside of the premises and one of these people, a male in



**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 4 of 11

his late 20's, assaulted a female by punching her in the face. He then punched and kicked a male who was with the female. The female was knocked unconscious and sustained a fractured eye socket which amounts to GBH. At the time of the incident Mrs Butler was approached by police and asked to provide CCTV footage. She stated that she did not know how to use the system, could not download the footage and would need to call a technician. During both previous visits Mrs Butler had stated that she would learn to use the system. Mrs Butler had stated that she would call out a technician the following day, however this did not occur. Given that the incident involved a very serious assault all available evidence is required at the time. The delay of the CCTV evidence caused a delay in the investigation which meant that the police were unable to take prompt action against a violent offender. It also undermines the Licensing objectives (Items 10 & 11).

During December 2012 an ION Track drugs swab initiative was carried out at numerous Licensed Premises across the Western Policing Area. This involved all premises toilets and bar area surfaces being swabbed over five weekends. Butlers Bar and Grill were swabbed on the 30/11/12, 08/12/12, 15/12/12, 21/12/12 and the 28/12/12.

The Ion track itemiser provides a reading indicating the type of substance found on a surface as well as the amount detected. The device provides a reading between 0 and 8 with a level of 4 and above indicating recent direct contact with the identified drug. Over the four dates swabs were taken from the gents and ladies toilets, also the pool table in the public bar. The readings ranged between 1.03 and 6.00 for cocaine, there were traces of other substances found and the majority of readings were high indicating direct contact with the drug in question (see items 12, 13 & 14).

Mrs Butler had previously been advised by police to conduct, and record, checks of the toilets every 30 minutes and to operate a zero tolerance drugs policy at the premises. The readings raised concerns over drug use at the premises. During the initiative letters were sent to Mrs Butler giving her the weekly results, each letter included advise on how the premises could tackle the problem i.e. increased toilet checks, reporting suspicious activity to the police etc. The readings were consistently high throughout the initiative.

On Saturday 23rd February 2013 an unprovoked assault occurred within the premises whereby a male was punched in the face (Item 16). The victim advised the police that the incident would be covered by the CCTV as it had occurred in view of cameras within the premises. When the investigating officer approached Mrs Butler she stated that neither she nor her staff knew how to operate the system so she would call out a technician. This did not subsequently happen. This was not the first time that CCTV evidence could not be provided by Mrs Butler and it demonstrates a lack of support for the licensing objectives.

On Sunday 12th May 2013 police were sent to the premises to look for a high risk missing person who was reported to have been sighted at the premises. The member of bar staff stated that the missing person was not at the premises, officers state that he was defensive and unhappy with their presence. The officers returned with a photo and were again told by bar staff that the missing person was not present. Being unhappy with the response the officers asked a number of customers within the bar whether they had seen the missing person. As a result they located the missing person in the pub beer garden, he was fortunately safe and well. The missing person was extremely vulnerable and there were severe concerns for his safety, the actions of staff from the premises was unacceptable and



**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 5 of 11

did not demonstrate support for the licensing objectives namely Public Safety (Item 17).

At 00:46 hours on Saturday 8th June 2013 police received two separate 999 calls from residents reporting 15-20 persons fighting in the street having come out of Butlers Bar and Grill (Items 19 & 20). At the scene a heavily intoxicated male with visible injuries was spoken to and further investigation revealed that a number of assaults had taken place at the premises. At 2100 hours this male was punched in the head whilst in the beer garden. He states he had been drinking all night at the premises and was so intoxicated that he could not remember much about what had happened. A potential witness was spoken to but stated he too could not remember as he had been drinking at the venue all evening, officers describe him as intoxicated and unsteady on his feet (Item 21). The victim remembered speaking to the Landlady after the incident and she had advised him to go home. It transpires that the victim was later assaulted by a group of persons at 00:46 hours which means he had not left the premises after the first assault despite being heavily intoxicated. The victim received cuts and bruises as a result of the second attack (Item 22). This suggests that Mrs Butler did not ensure the safety and welfare of the customer and the second attack could have been prevented (Item 23). A further unrelated fight in the pub between two males also came to light. They were ejected from the premises but continued fighting outside. The incidents on the night involve a number of assaults, public disorder and residents have called 999 due to being woken by the noise. They describe persons shouting, swearing and fighting outside and one became so worried he made a second call via 999 on seeing a male on the ground being kicked. They state that those involved came out of Butlers Bar and Grill. Mrs Butler was spoken to by officers at the time and stated that she did not recall the incidents, even though it had woken nearby residents (Item 24).

On Tuesday 11th June 2013 a licensing meeting was held at the premises in light of recent incidents, complaints of anti-social behaviour and concerns over drug activity at the premises. The meeting was attended by Ps 18 Plascott, Ps 24209 Towler and Pc 20730 Deniz. The concerns were put to Mrs Butler who became defensive stating that she could not be held responsible for incidents taking place outside her premises once she had closed. It was explained that any nuisance caused by customers leaving her premises was her responsibility. It was agreed that local officers would assist Mrs Butler in tackling the issues, also to assist in improving her ability and confidence in dealing with dispersal and anti-social issues at the close of business, thus supporting the Licensing objectives of the prevention of crime and disorder, public safety and prevention of public nuisance.

The points recommended during the previous police visits and the premises operating procedures were also reviewed and it became apparent that there were limited procedures in place to show support for the licensing objectives. Mrs Butler was unable to operate the CCTV system nor could any staff at the premises. This had been a recommendation during previous visits and was suggested at this visit. Mrs Butler stated that she would prefer to call out a technician and that they would attend within 24 hours.

Mrs Butler stated that she did not have a training package in place as she felt her staff were suitably trained as they were Personal Licence Holders. A training package was recommended with refresher training every six months. The premises incident log was fairly detailed however improvement was needed, advice was given as to how this could be achieved. An age verification policy was in place at the premises (Challenge 25) however Ps Towler pointed out his concerns in relation to young persons seen in the venue and a lack of



**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 6 of 11

entries for age challenges in the log. Mrs Butler stated that she and staff did regularly challenge young people but most were regulars whom she knew the age of. There were records to show regular toilet checks.

In light of previous incidents and complaints from residents it was recommended that the use of door staff and a dispersal policy be considered. Mrs Butler stated that the venue would not employ door staff but agreed to take a more proactive stance in relation to dispersing customers. It was agreed that an example of a Dispersal policy would be provided. After the meeting a letter was sent to Mrs Butler detailing the recommendations and advice in order to achieve them (Items 25 & 26).

At 00:23 hours on Saturday 22nd June 2013 police received a call from a local resident stating that a group leaving Butlers Bar and Grill and were shouting and screaming outside the premises. Some walked away but others were congregating and noisy. Due to other incidents a police unit was not deployed until 01:04, the attending unit dispersed the group who were still congregating outside the premises. Concerns were raised regarding the group remaining outside for so long and that premises staff had not taken steps to disperse them, this demonstrates a lack of support for the Licensing objectives (Item 27).

At 2330 hours on Saturday 29th June 2013 Ps 24209 Towler and Pc 20730 Deniz visited the premises and witnessed several heavily drunk persons inside. One male was so drunk that they instructed Mrs Butler not to serve him further alcohol and to ensure he got home, his drink at this point was half full. At 00:15 hours the officers returned and saw a group of rowdy persons congregating outside. The group were verbally abusive and Mrs Butler was asked to deal with them, she failed to do so and became argumentative with the officers. The drunk male from earlier was still in the bar and had a further drink. The officers state that Mrs Butler continued to be argumentative and had to be asked to be quiet due to being noisy. They describe her as smelling strongly of alcohol, her eyes glazed and state that she was drunk. She was on duty at this time which does not show support for the licensing objectives (Items 28 & 29).

On the 4th July 2013 the premises was re-visited by Ps Plascott, Ps Towler and Pc Deniz. Mr and Mrs Butler were present and stated that they would work together to address the problems highlighted by the police following the last visit on 11th June 2013 (Item 30). Mrs Butler handed the police with a typed document outlining their proposals which related to staff training, a dispersal policy, age verification and drugs policy and additional measures to re-position the business (Item 31). This was commendable as the need for improvement had been accepted, however this was not the first occasion when Mrs Butler had stated that she would take steps to deliver improvement.

On Friday the 5th July 2013 at 23:59 hours Ps 18 Plascott and Pc 22237 Conway attended the premises. A walk through of the bar was conducted during which a male customer fell sideways into Pc Conway knocking her off balance, she almost fell to the floor. The male leant back on the bar for support whilst holding and drinking from a pint glass containing what appeared to be lager. The male had not realised that he had almost knocked the officer over. The same male was then seen to rush to the pub garden, he was followed and found vomiting on the path. The male is described as extremely drunk (Items 15, 32 & 33). It is an offence to serve a person who is drunk and the suspicion that this has occurred



Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003

causes us to question the premises support for the licensing objectives. The male had been served alcohol at the premises before police arrival. On previous visits police recommended staff training regarding due diligence, had this been taken on board incidents such as this could be prevented.

At the beginning of June 2013 a local resident e-mailed New Forest District Council Licensing Team stating that she and her family were experiencing late night noise and nuisance most weekends. She explained that this involved drunk persons leaving the premises fighting and swearing in the street. A full statement has been provided to police outlining incidents including fighting and public order involving customers as they have left the premises late at night. She and her family find the incidents upsetting and frightening and are often woken late at night as a result. Both the Police and Licensing Department have received a complaint from a second resident, also providing a statement detailing incidents involving customers from Butlers Bar and Grill and nuisance that he and his family have endured as a result of the premises (Items 34 & 35). Statements have also been provided by Local Officers (Items 36 & 37).

There were a number of incidents following the last licensing visit on 11th June 2013 indicating that advice given by the police had been disregarded by Mrs Butler. Hampshire Constabulary do not believe she will implement measures to improve the situation at the premises. In summary Mrs Butler has failed to take on board the numerous recommendations made by police during three visits over an 18 month period. There has been no improvement during this time, incidents have continued to arise and residents are being affected by activity directly associated with the premises. Mrs Butler has consistently failed to take advice on board and to demonstrate support of the licensing objectives.

Hampshire Constabulary request that Mrs Butler is removed from her position as Designated Premises Supervisor as it is believed that she has limited understanding of her responsibilities and is unable to manage the premises. We would also request a reduction in the operating hours at the premises in order that the sale of alcohol is concluded at 2300 hours, with the premises closing at 2330 hours 7 days a week. We also request a review of the premises licence and the addition of conditions to ensure that recommendations are implemented. It is requested that the premises licence is suspended until all of the below conditions are met. This will ensure that the premises is run responsibly and that the licensing objectives are promoted. The conditions requested are as follows;

1) CCTV

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable



**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

2) Incident book

An incident book will be provided and maintained at the premises. It will remain on the premises at all times and will be available to police for inspection upon request.

Any incidents that include physical altercation or disorder, physical ejection, injury, id seizure or drug misuse will be recorded in the incident book. The entry is to include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If the member of staff creating the entry has difficulties reading or writing then the entry may be written by another staff member. This should however be read back to the person creating the entry and counter signed by the person who wrote the entry.

At the close of business on each day the incident book will be checked by the manager on duty where any entries will be reviewed and signed. If incidents have occurred the duty manager will de-brief door staff at the close of business. Should there be no incidents then this will also be recorded at the close of business in the incident book.

3) Refusals book

A written log shall be kept of all refusals including refusals to sell alcohol. The Premises Licence Holder shall ensure that the refusals log is checked, signed and dated on a weekly basis by the store manager/manageress.

The refusals log will be kept and maintained at the premises and will be available for inspection immediately upon request by Hampshire Constabulary and any responsible authority.

The record of refusals will be retained for 12 months.



**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 9 of 11

4) Challenge 25

There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older.

Acceptable identification for the purposes of age verification will include a driving licence, passport or photographic identification bearing the "PASS" logo and the person's date of birth.

If the person seeking alcohol is unable to produce acceptable means of identification, no sale or supply of alcohol will be made to or for that person.

'Challenge 25' posters shall be displayed in prominent positions at the premises.

5) Training-

DPS to complete a nationally recognised Level 2 DPS course or course equivalent to this. The BIIAB Level 2 National Certificate for Designated Premises Supervisors or EDI provide a Level 3 Award for Designated Premises Supervisors (ADPS) for example.

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the member of staff who has received that training.

All staff will receive refresher training every six months as a minimum and records are to be kept of this refresher training which should be signed and dated by the member of staff who received that training.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise alcohol. The test will consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate will not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

6) Dispersal Policy & Door Staff -

There will be a Dispersal Policy operating at the premises.

The Premises Licence Holder and Designated Premises Supervisor will ensure that there shall be two members of SIA registered door staff on duty at the premises from 1900hrs until such time as all customers have left the vicinity of the premises after close of business on Fridays, Saturdays, Public Holidays and Sundays immediately preceding Public Holidays.

The premises licence holder shall maintain a duty register giving details of each and every person employed in the role of a security/door person and shall provide upon request by the licensing authority or any police officer the following details:



Application for the review of / Representation in respect of a Premises licence or Club Premises certificate under the Licensing Act 2003

- The registration number, name and date of birth of that person
- The time at which he/she commenced that period of duty, with a signed acknowledgement by that person

When employed, door staff will patrol the outside perimeter of the premises at the end of each evening until persons are dispersed from the immediate area to ensure the safe and quiet dispersal of customers. Any customers congregating or loitering outside after leaving the premises will be asked to depart quickly and quietly. On occasions when door staff are not employed this role should be fulfilled by a nominated member of staff. Details of the person tasked with this activity should be recorded in the incident book on each day that the premises are open for licensable activities.

Notices will be displayed in prominent positions at the exit of the premises requesting customers to leave quickly and quietly.

Have you made an application for review relating to these premises before: Yes | No

If yes please state the date of that application: / / Day Month Year

If you have made representations before relating to this premises please state what they were

Please tick

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I have sent a copy of this representation to the principal licensing officer of Council

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

Signature of Officer Completing

Name: C. PLASCOTT Collar Number: 18
Signature: Date: 05/09/13

Signature of Authorising Officer (Inspector or above)

Name: Justin ROBERTS Collar Number: 2841
Signature: Date: 05/09/13



RESTRICTED

G90

**Application for the review of / Representation in respect of a
Premises licence or Club Premises certificate
under the Licensing Act 2003**

Page 11 of

RESTRICTED

Working Sheet

Hampshire Constabulary

Printed: 05/07/2013 19:25 by 18

Occurrence: **44080206070 Z Prem Licence (Management Occurrence)**

Author: #13085 FICE, G.

Report time: 08/03/2012 12:20

Entered by: #13085 FICE, G.

Entered time: 08/03/2012 12:20

Remarks: Licensing visit 24/02/12

A licensing visit was conducted at Butlers Bar and Grill, Fordingbridge with the premises licence holder Linda Butler, PS Marshman and Georgie Fice on 24th February 2012.

PS Marshman introduced himself and explained how Hampshire Constabulary will evolve, the future of the Licensing Unit and the expectation of each licensed premises.

DPS

Mr Butler who is the named Designate Premises Supervisor has not been at the premises for 6 months. We were informed that Mrs Butler has submitted papers to vary the licence to add herself as the DPS. It was pointed out to Mrs Butler that the police would object to this application as she is currently the DPS at the Tudor Rose, Fordingbridge and the police do not believe that she can be in day to day control of both premises. The premises licence was not available for inspection because she has sent it to the council to be changes.

DRUGS

The DPS informed us that there is a massive drug problem in Fordingbridge and she would not be able to report every single person stating "I wouldn't have anyone in the premises, if I reported everything". The DPS informed us that she has spoken to customers she suspects of using drugs and they do not bring drugs into the premises, if they do she will ban them. Mrs Butler was advised report information about drug use to the police and to carry out toilet checks to every 30 minutes which should be recorded by staff and to put a substance on flat surfaces such as baby oil which will soak up any dry substance.

TRAINING

Mrs Butler informed us that she conducts one to one induction training which includes cellar management. When prompted she informed us that staff were aware of the Licensing Act 2003, although she could not name the 4 Licensing Objectives when asked. There are no written records of staff training. It was recommended that staff should be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records should be kept of such training which must be signed and dated by the member of staff who has received that training. Refresher training should be conducted every six months as a minimum and records kept of the refresher training which should be signed and dated by the member of staff who received that training.

REFUSALS REGISTER

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Mrs Butler produced a refusals register, which had 12 refusals logged over the past year. We were informed that Challenge 21 is in force and identification checks are carried out on a weekly basis. This is not recorded and there is no prompt on the till system. It is recommended that a bound day a page diary is used to record any identification checks and id seizures

INCIDENT LOG

Mrs Butler informed us that a scuffle could break out 6/7 times a night, police are not called as they are ejected before anything happens. When concerns were raised that there are a lot of incidents which are occurring and not reported to the police Mrs Butler retracted and stated that it occurred once in a blue moon. It was recommended that the refusals register is also used to record incidents that include physical altercation or disorder, physical ejection, injury or drug misuse. The entry should include an account of the incident and the identity of all person (s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

CCTV

Mrs Butler informed us that there is a CCTV system at the premises but she does not know if is currently working. There is not a CCTV condition on the premises licence but it is recommended that the current system is checked and she learns how to work it and burn of footage if requested by the police. The benefits of CCTV was explained to Mrs Butler and it was suggested that if CCTV is in place and working the footage is stored for 28 days and covers all areas of the premises. It should be inspected on a weekly basis to ensure the system is functioning correctly and that data is being securely retained. Mrs Butler understands the importance of a working CCTV system and will ask someone to look at what is currently in place. If it is not in working order then she will out way the benefits and need with the cost.

LICENCE CONDITION

There is a sign in the beer garden which states that the area will close at 2330. The police informed Mrs Butler that there is a condition on the premises licence which indicates that the beer garden should close at 2300hrs. Mrs Butler informed us that she will change this sign to comply with the licence condition.

Georgie Fice
Licensing Unit



Hampshire Constabulary

Chief Constable Alex Marshall QPM

Romsey Police
Station
111 The Hundred
Romsey
Hampshire

SO51 8BZ

Mrs Butler
Butlers Bar & Grill
1 Shaftesbury Street
Fordingbridge
SP6 1JF

Telephone: 101
Direct dial: 023 8067 0902
Fax number: 023 8067 4300
Minicom: 01962 875000
Email:

western.licensing@hampshire.pnn.police.uk

Our ref: 44080206070

March 08, 2012

Dear Mrs Butler

This letter is in reference to our meeting on the 24th February 2012 at Butlers Bar & Grill, Fordingbridge with you as the premises licence holder, PS Marshman, PC Deniz and I. You advised us that the Designated Premises Supervisor, John Butler has not worked at the premises for 6 months, if there is no DPS then the sale and supply of alcohol is an offence. This needs to be rectified immediately or alcohol can not be sold. At the meeting a number of items were discussed and are summarised on the attached sheet.

As you are aware Hampshire Police are committed to working with the licensees in supporting the four licensing objectives i.e. –

- The prevention of crime & disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Please keep in contact with us and let us know about any new policies you are putting in place or if we can be of further assistance, especially with regard to training or drugs issues. Should we get any incidents and these measures have not been introduced, then we would look to take the matter further and this could be by a review of the premises licence.

Yours sincerely

Georgie Fice
Licensing Unit
Hampshire Police



Hampshire Constabulary

Chief Constable Alex Marshall QPM

Meeting at Butlers Bar & Grill 24/02/12

Drugs

Police – It is recommended that you and your staff conduct toilet checks every 30 minutes when the premises are open for licensable activities. This should be recorded and kept for a minimum of 3 months to uphold your due diligence. If you suspect that people are using drugs then please report this to the local officers so appropriate action can be taken.

Venue – You have spoken to customers you suspect are using drugs and they have informed you that they do not bring drugs into the premises; if they do then you will ban them. You agreed to the police recommendations.

Staff training

Police – It is recommended that staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. Records should be kept of such training which should be signed and dated by the member of staff who has received that training. Refresher training should be conducted every six months as a minimum and records kept of the refresher training which should be signed and dated by the member of staff who received that training.

Venue – You informed us that you conduct one to one induction training with all staff, there are no written records and you do not carry out any refresher training with staff. You understood the importance of upholding the licensing objectives and will implement the police recommendations.

CCTV

Police – It is recommended that any CCTV footage at the premises is retained for 28 days and covers all areas of the premises. It should be inspected on a weekly basis to ensure the system is functioning correctly and that data is being securely retained.

Venue – You informed us that there is a CCTV system at the premises but you are unaware if it is in working order. You advised us that you would get it checked and learn how to turn off footage if the police requested it. If the system is not working you will risk assess the benefits and balance the need of a new system with the licensing objectives.



Hampshire Constabulary

Chief Constable Alex Marshall QPM

Refusals register

Police – There is no evidence that staff ask for identification and there is no prompt on the till system to record if identification has been produced. It is recommended that a bound day a page diary is used to record any identification checks, refusal of alcohol and id seizures.

Venue – You produced a refusals register with 12 refusals logged from the past year. You informed us that you operate a Challenge 21 policy and identification checks are carried out on a weekly basis. You agreed that you will comply with police recommendations and put into practice a refusals register.

Incident Log

Police - It is advised that you call the police if incidents occur inside of the premises, instead of other people reporting it. The police view the reporting of incidents and criminal behaviour as a positive action in upholding the four licensing objectives.

It is recommended that the bound refusals register is also used to record incidents that include physical altercation or disorder, physical ejection, injury or drug misuse. The entry should include an account of the incident and the identity of all person(s) involved (or descriptions of those involved if identity is not known). Should there be any physical interaction by members of staff and the public the entry will include what physical action occurred between each party. The entry shall be timed, dated and signed by the author.

If there are no refusals or incidents then 'no incidents or refusals' should be recorded.

Venue – You informed us that if incidents occur the customers involved are ejected from the premises before anything serious happens and the police are not called. Initially you stated that this could happen 6 to 7 times a night, when concerns were raised, you retracted this statement and we were informed incidents happen once in a blue moon. You agreed to implement a bound diary to record all incidents at the premises.

Beer Garden

Police - There is a sign in the beer garden which states that the area will close at 2330. The condition on the premises licence indicates that the beer garden should close at 2300hrs.

Venue – You will change the sign to comply with the premises licence condition.

Event details

Event type:	Public Order Other Incident
Reported time:	2012-04-07 00:26:07
Closure time:	2012-04-07 00:53:26
Call source:	999 CALL
Priority:	PRIORITY CONTACT
Complainant:	
Complainant phone number(s):	[REDACTED]
Location:	[REDACTED]

Dispatched officers

Event commentary

2012-04-07 00:26:07: AT BUTLERS BAR AND GRILL THERE ARE A GROUP OF 20-30 PEOPLE OUTSIDE AND THEY ARE WAITING FOR A MALE THAT IS STILL INSIDE, THERE HAS BEEN A SCUFFLE EARLIER ON AND THEY ARE WAITING FOR THE MALE. THE MALE IN BUTLERS BAR IS CALLED [REDACTED] INFT LIVES NEARBY ADN DOESN'T WANT TO GIVE HIS DETAILS.

2012-04-07 00:30:02: FURTHER ABDN 999 CALL FROM THE ABOVE TEL NUMBER MALE REQUESTED POLICE TO THE OPERATOR AND WHEN PUT THROUGH NO ONE SPOKE AND THE LINE WAS DROPPED

2012-04-07 00:30:23: FURTHER CALL FROM INFT ,STILL ANONYMOUS ,, STILL FIGHTING NO EAPONS SEEN BUT BOTTLES MAY BE BEING USED

2012-04-07 00:30:43: . FURTHER CALL FROM [REDACTED] ON MALE REPORTING DISTURBANCE INV ABOUT 30 PEOPLE

2012-04-07 00:38:21: NF89 HAVE ABOUT 20 MILLING ROUND. NO FIGHTING ATT. MONITORING ./

2012-04-07 00:41:52: NF89 AS NT FOR ANYONE FIGHTING. GROUP HAVE DISPERSED.

2012-04-07 00:49:59: ND56 ITS ALL CLOSED DOWN , AND GROUP HAVE ALL DISPERSED. AND NO ONE HAS APPROACHED US TO MAKE ANY COMPLAINTS. BAR IS ALL CLOSED AND LOCKED. .

2012-04-07 00:53:26: *** RESULT *** GROUP DISPERSED ON ARRIVAL. NO COMPLAINTS TO POLICE AT SCENE. BAR ALL LOCKED UP AND CLOSED.

Working Sheet

Hampshire Constabulary

Printed: 10/07/2013 13:47 by 18

Occurrence: 44120136091 ASB Nui - Rowdy and Inconsiderate Behaviour @07/04/2012
00:26

Author: #20730 DENIZ, C.

Report time: 12/04/2012 12:12

Entered by: #20730 DENIZ, C.

Entered time: 12/04/2012 12:12

Remarks: SNT input

I spoke to the landlady of Butlers, Lynne Butler, about this incident. She told me that there was a dispute between [REDACTED] and [REDACTED] which resulted in a scuffle in the pub. She then ejected [REDACTED] from the pub and she says [REDACTED] is now banned from this premises. According to Butler, [REDACTED] had no fault in the incident. Butler is not willing to make a formal report and/or assist the police in any way. There is a pub-watch meeting on 17/04/2012 when it will be proposed that [REDACTED] is banned by the pub-watch, or that he is served a warning by the pub-watch.

RESTRICTED

Printed by: 18 Date: 10/07/2013 13:47 Computer: SC526 Page 1 of 1

Event details

Event type:	Assaults
Reported time:	2012-05-20 01:16:06
Closure time:	
Call source:	
Priority:	RESOLUTION WITHOUT DEPLOYMENT
Complainant:	BUTLER, LYNN
Complainant phone number(s):	01425652099
Location:	1 SHAFTESBURY ROYAL ARMS FORDINGBRIDGE SP6 1JF

Dispatched officers

Event commentary

2012-05-20 01:16:06: INFT IS LANDLADY OF LOCATION ADDRESS. TIME WAS CALLED IN THE BAR BUT A FEMALE APPROACHED INFT AFTER THIS AND DEMANDED A SHOT. WHEN THIS WAS DECLINED SHE SLAPPED INFT AROUND THE FACE. THE FEMALE IS NOT A REGULAR BUT INFT KNOWS SHE WAS CALLED. INFT DOES NOT WANT THE FEMALE ARRESTED AT PRESENT, JUST WANTS THE MATTER LOGGED.

2012-05-20 01:16:30: *** RESULT *** **LOGGED ONLY AT REQUEST OF INFT**

Working Sheet

Hampshire Constabulary

Printed: 05/07/2013 19:26 by 18

Occurrence: **44080206070 Z Prem Licence (Management Occurrence)**

Author:	#24191 WOOD, B.	Report time:	22/06/2012 11:50
Entered by:	#24191 WOOD, B.	Entered time:	22/06/2012 11:50
Remarks:	Licensing/SNT visit 22/06/12		

Visit conducted by PC's Wood, Smith, and Deniz with the DPS lynne Butler.

The items discussed at the previous meeting and raised in the letter of 8th March 2012 were gone through.

1. Drugs

30 minute toilet checks were verbally confirmed by DPS. There is no regular log of these and where a log is made it is just to state "toilet checks conducted". DPS advised that she was now confident that people did not take drugs into her premises and that customers know her stance on this matter. It was agreed that on Fridays, Saturdays, and Sundays toilet checks would be conducted on a half hourly basis from 1900hrs. These would be recorded in the diary with the time of the check and the member of staff conducting it. Zero Tolerance posters were provided and Ion Track swabs taken - results not yet known.

2. Staff Training

There has been no progress on this at all. DPS reminded that this leaves her liable for mistakes made by her staff and that it shows a lack of support for the licensing objectives. Agreed to email her the training links letter, and to proof read any package that she constructed.

3. CCTV

The existing CCTV system is U/S. However, a new system is to be installed tomorrow morning. The system will have 2 cameras at the front of the premises and 2 at the rear. There will be 4 cameras inside the bar areas. DPS thought that the new system was likely to retain footage for 2 weeks. 28 day requirement discussed and advised that reducing the frame rate may give better retention - DPS will consult with installation company in the morning. She also advised that she would ensure that an 'idiots guide' to using the system was drawn up.

4. Refusals Register

There is still no evidence of challenges made for ID. DPS has agreed that all refusals will now be recorded, timed, and names provided if known. Advised that should there be any intelligence or information regarding under age drinking then she would be requested to record all challenges. Challenge 21 still in place

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though there was no supporting material for this. PC Deniz has agreed to look into sourcing a poster regarding Challenge 21.

5. Incident Log

DPS has made efforts to report incidents but PC Deniz is aware that not all incidents have been reported. Of those reported the DPS has not been willing to provide full details of the persons involved/support prosecutions. On discussing this the DPS advised that of one incident she knew that the involved party had recently lost her child and that she felt it not fair to press charges. DPS advised that of both incidents (44120153479 & 44120192755) the involved parties had been barred. There was no record of this in the log book although I can confirm that both incidents were recorded. Advised that her actions in support of the licensing objectives should be recorded and that it would be of benefit to keep a record of who was currently barred from the premises and who she had raised to pubwatch.

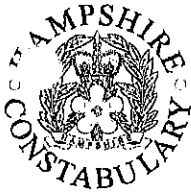
6. Beer Garden

Sign now removed and DPS advises that she closes the garden to anyone other than smokers at 2100hrs due to noise complaints from neighbours.

OF NOTE: BAILIFFS ATTENDED DURING OUR MEETING TO SEIZE GOODS. DPS PROVIDED CASH PAYMENT - POSSIBLE FINANCIAL ISSUES AT PREMISES SURROUNDING THE FORMER OWNER G BUTLER

Full letter to be sent in due course.

24191



Hampshire Constabulary
Chief Constable Alex Marshall

Mrs Butler
Butlers Bar & Grill
1 Shaftesbury Street
Fordingbridge
SP6 1JF

Police Licensing Unit
Southampton Central Police Station
Southern Road
Southampton
Hampshire
SO15 1AN

Our ref: 44080206070
Your ref:

Telephone: 0845 045 45 45
Direct dial: 023 8067 4768
Fax No: 0845660037
Deaf/speech impaired minicom: 01962 875000
Email: southampton.licensing@hampshire.pnn.police.uk

25th June 2012

Dear Mrs Butler,

This letter is in reference to the licence visit that took place on the 22nd June at Butlers Bar & Grill, Fordingbridge. At the meeting we discussed the role of the Western Licensing Team, what you can expect from us, and best practise, particularly in relation to due diligence. I made several recommendations, which have been summarised overleaf.

As you are aware the Western Licensing Team are committed to working with licensees in supporting the four licensing objectives i.e. –

- The prevention of crime & disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

If you have any queries, or if we can be of further assistance please do not hesitate to contact us. The licensing team will continue to monitor the premises and further visits will be conducted in order to ensure that you are supporting the licensing objectives. Should we get any incidents and the recommendations made overleaf have not been implemented, then we could look to take the matter further by way of review of the premises licence.

Yours Sincerely,

PC 24191 WOOD
Violent Crime Reduction & Licensing Team
Southampton Central Police Station



Hampshire Constabulary
Chief Constable Alex Marshall

Meeting at Butlers Bar & Grill 22/06/12

Training

Police: It is disappointing that following the letter sent by Georgie Fice in March no formal staff training has been introduced. In order to demonstrate due diligence you need to implement a training schedule and I have suggested using the links below for guidance. These links were formed by conducting a simple search on the internet where there are numerous companies and literature available regarding due diligence training. It is not a recommended or definitive list, but is an example of the variety of courses available. I would strongly encourage you to ensure that staff complete some form of assessment of any training conducted in order to demonstrate a sound knowledge base.

Service Excellence Passport (£2.50 each)

<http://www.abvtraining.co.uk/index.htm>

Flow, Licensing & social responsibility (£36.00)

<http://www.flowhospitalitytraining.co.uk/hospitality-training/licensing-training>

BIIAB Level 1 Award in Responsible Alcohol retailing training course (£55.00)

<http://www.accesstraining.co.uk/Training-Courses-And-Consultancies/Licensed-Trade-Courses/BIIAB-Level-1-Award-in-Responsible-Alcohol-Retailing/>

Act 2003 Ltd DVD & training package (£69.99)

http://www.act2003.co.uk/underage_dvd.htm

Licensing Matters Due diligence training packages (price varies)

<http://www.licensingmatters.net/duediligence.html>

We are also able to offer specific training input to run alongside any training meeting that you conduct. If you would like us to attend and offer an input please get in touch. All training conducted should be recorded, signed, and dated by both the member of staff and yourself.

Below is an example of a training condition which is often attached to premises licences that you may wish to use as guidance:

Staff are trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18; signs and symptoms of drunk persons, refusal of sale due to intoxication and that records are kept of such training, which are signed and dated by the member of staff who has received the training; that staff receive refresher training every six months as a minimum and that records are signed and dated by the member of staff are kept of this refresher training. Records will be available for inspection by Hampshire Constabulary and the Licensing Authority. Records will be kept for a minimum period of two years.

Venue: Advised that all training has been conducted verbally. You can understand the need for creating a written log of all training conducted but offered no explanation as to why this had not already been conducted. You will create a training package and are aware that you can email it to me to look at and offer advice on.



Age Verification Policy

Police: You advise that you operate a Challenge 21 policy but do not have this policy written. I have included for your reference a draft copy of an age verification policy. I would recommend conducting training with your staff in relation to this. Your incident book includes very minimal examples of refusals of sale when exercising the Challenge 21 policy. There needs to be greater consistency in recording refusals as this strongly evidences your due diligence. As we discussed, should there be any concerns at the premises regarding under age drinking then it would be best practise to ensure that all challenges for ID are recorded. PC Deniz will provide you with Challenge 21 posters to assist you in enforcing this.

Venue: Advised that there were no concerns in relation to underage drinking but that you understood that should concerns arise then it would be beneficial to record all challenges made, not just refusals.

Refusals/Incident Log

Police: I was pleased to see that you have put together an incident/refusals book. The book is in diary form which is good and tends to be easier to use. However, improvements can be made as to the quality of evidence recorded in this. As was recommended in March there should be an entry for every day that the premises is open for business. If there has been nothing of note then this could be recorded very simply as 'Nil of Note' or similar. ALL incidents need to be recorded in the book, regardless of whether police are informed, and your actions detailed. This might include whether police were contacted, whether the person was then raised at pubwatch, or whether they are barred just from your premises. I would encourage you, as previously, to contact the police in relation to matters and to support the licensing objectives in doing so. It was noted that you have contacted us on two occasions recently but that you have been unwilling to provide statements or full details in relation to these. You have explained your reasons to me and that the involved persons are now banned from your premises although this was not recorded in the incident book. Please ensure that in the future you detail your response and rationale behind it.

Venue: You advised that you liked the diarised system that you had introduced and would start to record all of those items suggested.

Drugs

Police: It has previously been recommended that you conduct toilet checks every 30 minutes whilst the premises are open for licensable activities. You advised, honestly, that you have not been doing this consistently as you believe it to be unnecessary during quiet times. It is not uncommon for drugs to be used in licensed premises, and you confirmed that you are aware that this has been the case at the premises in the past. Conducting regular toilet checks not only disrupts and deters this activity but demonstrates good support of the licensing objectives. Please ensure that toilet checks are conducted every 30 minutes on Friday, Saturday, and Sunday evenings between 1900hrs and



Hampshire Constabulary Chief Constable Alex Marshall

close. Please ensure that these are recorded consistently in the incident diary, including the time of the check rather than just 'Toilet Checks Conducted' – as is sometimes recorded at present.

It is also possible for the police licensing team to conduct an Ion Track operation at the door of the premises. The operation involves making it a requirement of entry to the premises for each person to have their hands swabbed. These swabs are immediately analysed and any positive result gives grounds for a search of that person. Any persons found to have drugs on them are dealt with robustly. The operation has seen very positive results in demonstrating not only a premises' support of the licensing objectives, but also their close working relationship with police. It sends a very strong message out to the community that drugs are not tolerated at the premises. Should you be interested in conducting one of these operations then I would suggest that you look out a suitable date for the premises and then get in touch with us to discuss it further.

Venue: Agreed to conduct toilet checks diligently and to record these as discussed. Zero Tolerance posters were provided which you are going to display prominently within the premises.

CCTV

Police: Your current CCTV system is not operational. However you had an appointment booked for the day following our visit for a new system to be installed. The new system will have 8 cameras (2 at the back, 2 at the front, and 4 inside). You advised that you thought that the new system would retain footage for 2 weeks. As discussed, it would be beneficial if this could be extended to 28 days as a minimum. It is usually possible to do this by reducing the frame rate (minimum of 4 frames per sec) in order to decrease the size of the retained footage. It may assist you to have a copy of our frequently used CCTV condition to use as guidance:

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system should be able to cope with strobe lighting and all levels of illumination throughout the premises as well as outside areas.

CCTV warning signs to be fitted in public places.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Southampton Police Licensing Unit.

Venue: Agreed to look into the possibility of increasing the retention period for footage.

Event details

Event type:	Assaults
Reported time:	2012-09-29 21:34:05
Closure time:	2012-09-29 23:25:26
Call source:	999 CALL
Priority:	EMERGENCY CONTACT
Complainant:	
Complainant phone number(s):	
Location:	

Dispatched officers

Event commentary

2012-09-29 21:34:05: THERE IS A MASSIVE FIGHT OUTSIDE THE BUTLERS PUB MALE HAS SMACKED A FEMALE KNOCKED HER OUT WELL BUILT MALE TRACKSUIT BOTTOMS GREY TSHIRT HAS BEEN TAKEN OFF ABOUT 29/30 YRS DTF

2012-09-29 21:34:41: FEMALE IS STILL OUT COLD ON THE FLOOR - LOTS OF PEOPLE GATHERING AROUND HER - THEY ARE ALL ON THE PHONE NOT SURE WHERE THE MALE HAS GONE

2012-09-29 21:35:19: THIS SAME MALE ALSO HIT ANOTHER MALE, WHO IS BALD, WHITE TOP, IN HIS EARLY 40'S INFT SAYS HE IS AN EX ARMY AND HASNT EVER SEEN ANYONE HIT SOMEONE LIKE HE HIT THE FEMALE

2012-09-29 21:35:43: INFT REFUSED HIS DETAILS ALTHOUGH THOSE ABOVE CAME THROUGH FROM BT

2012-09-29 21:37:20: CALLING AMB

2012-09-29 21:38:47: AMB ATTENDING REF 1507

2012-09-29 21:48:01: NR06 - OFFENDER IS HE IS ABOUT 5FT 7 WITH NO TOP ON.

2012-09-29 22:19:52: ND99 - WAS GIVEN SUSPECT NAME OF JF, NO REPLY AT THE ADDRESS.

2012-09-29 23:25:26: *** RESULT *** CONFIRMED ASSAULT - REPORT TAKEN. FURTHER ENQUIRIES. CLOSED TO SECTOR BOX ON REQUEST OF NR06

Working Sheet

Hampshire Constabulary

Printed: 02/08/2013 11:53 by 18

Occurrence: 44120382701 Assault @29/09/2012 21:34

Author: #20544 GREEN, D. Report time: 30/09/2012 02:57
 Entered by: #20544 GREEN, D. Entered time: 30/09/2012 02:57
 Remarks: NR TPT SERGEANT/SUPERVISOR REVIEW

This occurrence relates to an assault (GBH) outside Butlers Bar and Grill in Shaftsbury Street in Fordingbridge where assaulted by [redacted] and a subsequent threat to kill made [redacted] by [redacted].

Full circumstances are unknown at this time but it would appear that an altercation has taken place outside Butlers between [redacted] and [redacted] resulting in [redacted] striking [redacted] the face causing her to temporarily lose consciousness and hit the pavement face first. At this point [redacted] has intervened and also been struck in the face prior to [redacted] making off the area.

There is history between the parties involved, [redacted] is currently seeing [redacted] is [redacted] ex husband and [redacted] is [redacted] current partner.

Although initially it appeared that both parties injuries were ABH, with [redacted] having a cut lip and black eyes and [redacted] having grazings to his left cheek, it has later come to light from examination at hospital that [redacted] has sustained a fracture to her left cheek bone.

Police were called by the licensee of Butlers reporting the assault, on police arrival a [redacted] was seen laid out on the pavement outside Butlers being looked after by [redacted] (amongst others). Basic details were taken by attending officers from [redacted] who stated that [redacted] was responsible and was heading back to [redacted] where he is staying with his girlfriend [redacted] address was attended [redacted] searched for [redacted] and negative for him. Access was given to the address by a friend of [redacted] who was babysitting. A further area search was made but was also negative.

Further witness details were obtained by officers at scene and both [redacted] were taken to Salisbury Hospital by Ambulance. There no scene put in place it was initially believed to be an ABH.

Officers were dispatched to the hospital to obtain statements from [redacted] and a witness who went with them

A further arrest attempt was made at a later time at the [redacted] address which was again negative.

An update was received from officers at the hospital that [redacted] had received a call from [redacted] threatening to kill him for involving the police and stating that they were at [redacted] at in Fordingbridge (which is [redacted]), this address was attended by F-SU and local officers however there was no reply at the door and no signs of anyone being in.

Task sent DCID.

RESTRICTED

Action for night's:

Obtain statements from

Further arrest attempt at

Further arrest attempt ant

Task Wilts Pol to make an arrest attempt at address in Wiltshire (shown on RMS)

Complete AD316

FAO Days:

Lynda Butler if contacted can arrange to have someone attend the pub and review the CCTV.

The witness, and are independent and willing to provide statements.

A/PS 20544

Working Sheet

Hampshire Constabulary

Printed: 23/07/2013 10:13 by 18*Occurrence:* **44120382701 Assault @29/09/2012 21:34***Author:* #21142 MORANT, R.*Report time:* 30/09/2012 10:21*Entered by:* #21142 MORANT, R.*Entered time:* 30/09/2012 10:21*Remarks:* CCTV at Butlers to be viewed after 12pm

Sir/Ma'am,

PC Ellis has spoken to Lynda BUTLER. There is nobody available to download the footage today but Officers are welcome to attend after 12pm when they open.

21142

Working Sheet

Hampshire Constabulary

Printed: 23/07/2013 10:14 by 18

Occurrence: **44120382701 Assault @29/09/2012 21:34**

Author: #2878 HOOPER, D.

Report time: 30/09/2012 22:33

Entered by: #2878 HOOPER, D.

Entered time: 30/09/2012 22:33

Remarks: CCTV at Butlers viewed. Timeline described and request submitted for download by imaging.

CCTV from Butlers is not immediately downloadable because the landlady does not know how to use it. I have looked at the equipment and there does not appear to be reasonable way of downloading it.

I did however review it in situ.

Cam 3 is outside and has a view of the entrance to Butlers looking toward the ship in.

2126 a white male in grey hooded top leaved the pub and talks with other males outside. (Believe this is they all talk and appear to be in good spirits.

2129 dark haired female comes out of the pub and goes over to the male and they all talk.

2132 Male believed to be wearing black and white shirt comes out and joins them. Everything appears to still be all in order. Everyone talking.

2135 goes back inside the pub and carries on drinking.

21:39:00 Female hits in the face (right hand) He steps back and does not appear to react. Male with them wearing dark shirt appears to step between them but she advances on again. He then pushes her back hard and her head rocks back. She swings another couple of punches at him and the dark shirt male steps between them.

21:39:10 comes out for the pub and goes toward them. He appears to step between them and then grabs hold of and they grapple nearly falling over and they stagger to the left of shot and from view into a CCTV blind spot. The dark haired female (victim) is being held back in the road and she too disappears out of shot.

What follows is out of view but various people are seen milling around the area until Police and Ambulance arrive.

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The footage will not be tampered with by staff but it is suggested that Imaging unit get to it before 7 days runs out as staff do not know how long the footage stays on the hard drive for.

Desired camera footage, Camera's 3,4,5,6,7 - 2100 to 2200.

DC Hooper

RESTRICTED

Printed by: 18 Date: 23/07/2013 10:14 Computer: SC526 Page 2 of 2



Hampshire Constabulary

Chief Constable Alex Marshall

Mrs L Butler
Butlers Bar & Grill
1 Shaftesbury Street
Fordingbridge
SP6 1JF

Hampshire Constabulary Licensing Team
Southampton Central Police Station
Southern Road
Southampton
SO15 1AN

Our ref: 44080206070

Telephone: 0845 045 45 45

Direct dial: 023 8067 0902

Fax No: 023 8067 0923

Deaf/speech impaired minicom: 01962 875000

Email: western.licensing@hampshire.pnn.police.uk

6th December 2012

Dear Lynda,

This letter is in reference to Ion Track swabs taken at your premises on the 30th November 2012.

As you are aware the Western Licensing Team are committed to working with licensees in supporting the four licensing objectives i.e. –

- The prevention of crime & disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In order to assist licensees in identifying drugs use at premises' your local Safer Neighbourhoods Teams will be conducting drugs swabs regularly over the festive season. The most recent swabs were taken on the 30th November and the results were as follows:

Gents Toilets: 6.00 Cocaine
Ladies Toilets: No Trace
Pool Table: 1.03 Cocaine & 4.31 MDMA (Meth-Amphetamine)

These readings indicate that there is cocaine use within the premises, particularly in the gents toilet area, and that MDMA may also be in circulation. I would encourage you to conduct regular toilet checks, to record these, and most importantly, to contact police if you suspect that drugs are being used on the premises. Both the Safer Neighbourhood Team and I will support you in taking positive action against those suspected of conducting illegal activities on your premises.

Yours Sincerely,

PC 24191 WOOD
Violent Crime Reduction & Licensing Team, Southampton Central Police Station



Hampshire Constabulary
Chief Constable Alex Marshall

Mrs L Butler
Butlers Bar & Grill
1 Shaftesbury Street
Fordingbridge
SP6 1JF

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Email: western.licensing@hampshire.pnn.police.uk

11th December 2012

Dear Lynda,

This letter is in reference to Ion Track swabs taken at your premises on the 8th December 2012.

As you are aware the Western Licensing Team are committed to working with licensees in supporting the four licensing objectives i.e. –

- The prevention of crime & disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In order to assist licensees in identifying drugs use at premises' your local Safer Neighbourhoods Teams will be conducting drugs swabs regularly over the festive season. The most recent swabs were taken on the 8th December and the results were as follows:

Gents Toilets: 5.38 Cocaine
Ladies Toilets: 1.15 Cocaine
Pool Table: 1.15 Cocaine

Both the Safer Neighbourhood Team and I will support you in taking positive action against those suspected of conducting illegal activities on your premises. If you have any queries or require any assistance please do not hesitate to contact us.

Yours Sincerely,

PC 24191 WOOD
Violent Crime Reduction & Licensing Team,
Southampton Central Police Station



Hampshire Constabulary

Chief Constable Alex Marshall

Mrs L Butler
Butlers Bar & Grill
1 Shaftesbury Street
Fordingbridge
SP6 1JF

Hampshire Constabulary Licensing Team
Southampton Central Police Station
Southern Road
Southampton
SO15 1AN

Our ref: 44080206070

Telephone: 0845 045 45 45

Direct dial: 023 8067 0902

Fax No: 023 8067 0923

Deaf/speech impaired minicom: 01962 875000

Email: western.licensing@hampshire.pnn.police.uk

9th January 2013

Dear Lynda,

This letter is in reference to Ion Track swabs taken at your premises over the Christmas period.

As you are aware the Western Licensing Team are committed to working with licensees in supporting the four licensing objectives i.e. –

- The prevention of crime & disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In order to assist licensees in identifying drugs use at premises' your local Safer Neighbourhoods Teams have recently taken several drugs swabs at your premises. I apologise for the delay in advising you of the results of these, the most recent of which are as follows:

15th December

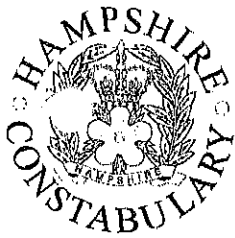
£20 Bank Note	No Trace
Gents Toilets	No Trace
Ladies Toilets	No Trace

21st December

Gents Toilets	4.60 Cocaine
Pool Table	5.31 Cocaine
Ladies Toilets	2.56 Cocaine

28th December

Ladies Toilets	2.32 Cocaine
Gents Toilets	4.63 Cocaine
Pool Table	1.17 Cocaine



Hampshire Constabulary
Chief Constable Alex Marshall

This exercise has been conducted to raise your awareness of the potential for drugs use at your premises and to assist you in deterring drugs use in the future. I can advise you that these swabs were tested using an Ion Track Itemiser machine, which gives an indication as to which substances are on a surface, and in what quantity. A level of between 1 and 4 can be deemed to be a trace of the substance which might have been transferred from another surface, have been roughly cleaned away, or simply have been in contact for a very short amount of time or in low quantities in the first instance. A level of 4 and above indicates recent, direct contact with the substance.

Premises across the New Forest area have been tested throughout December and it is clear that where efforts are made to deter drugs use, these are usually successful and the levels of readings have decreased.

Please do give consideration to the results of the swabs taken and look to implement procedures that may assist in continuing to deter drugs use at your premises and thus supporting the licensing objectives. If you require any assistance in doing so, or would like advice or further swabs to be taken, then please do not hesitate to contact either your Safer Neighbourhoods Team or myself.

Yours Sincerely,

PC 24191 WOOD
Violent Crime Reduction & Licensing Team,
Southampton Central Police Station



(15)



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MG11

Page 1 of 5

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of: Christine Ann Plascott

URN: | | |

Age if under 18: Over 18 (if over 18 insert 'over 18')

Occupation: Police Officer

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:

Date: 01/08/13

Christine Ann Plascott

Tick if witness evidence is visually recorded (supply witness details on rear)

I am Police Sergeant Christine Ann Plascott of the Hampshire Constabulary currently stationed at Southampton Central Police Station on the Western Area Alcohol Harm Reduction and Licensing Team.

At 2359 hours on Friday the 5th July 2013 I was on duty in uniform accompanied by PC 22237 Conway. At this time we attended Butlers Bar and Grill, 1 Shaftesbury Street, Fordingbridge to conduct a Licensed Premises Visit. On arrival at the premises we were met by a male who I know to be David Butler who is the Premises Licence Holder. I asked Mr Butler if he was happy for myself and my colleague to go inside the premises to which he agreed, he advised me that the staff were about to call last orders. As I entered the premises via the main front entrance I could see the Designated Premises Supervisor who I know to be Lynda Butler working behind the bar. I also noticed that the bar area was reasonably busy with a number of younger persons standing around the bar area. As I walked around the bar towards the door to the garden I spoke to Lynda Butler at the end of the bar. I asked if there were customers in the garden, Lynda replied that there were and she was about to tell them the bar was closing, Lynda spoke to me in a very abrupt manner. After looking in the garden myself and my colleague made our way back through the bar area in the direction of the front public entrance. Pc Conway walked in front of me and half way

Signature: Signature witnessed by:



2006/07(1)

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WITNESS STATEMENT

MG11 Page 2 of 5

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

along the bar I suddenly noticed a male in a blue coloured T-shirt fall sideways from the bar and crash into Pc Conway knocking her sideways so that she almost lost her balance. The male was wearing a blue T-shirt, shorts and trainers, he was approximately 6" tall, average build and had short brown hair, he looked to be aged around mid to late thirties. The male did not seem to realise what he had just done as he said nothing to Pc Conway and staggered back to lean on the bar. I quickly checked that my colleague was ok and turned back in the direction of the male. In doing so I saw that he was using the bar to lean on for support and was holding a pint in his left hand, this was half full and he was drinking from it, his eyes were glazed and his pupils dilated. I formed the opinion that the male was heavily intoxicated.

As a result I turned to try to find the Designated Premises Supervisor Lynda Butler as I was concerned about the state of this male and the fact that he still had a pint glass beside him which was half full. At this point Lynda came out from behind the bar and I turned to point the male out. As I did this I noticed that he was rushing towards the rear door to the garden. Lynda Butler suddenly rushed after the male and I followed. As I walked out of the back door I came across the same male, he was holding onto some railings in the rear garden and he was being sick all over the path way near to the back door. The male smelt strongly of intoxicating liquor and was very unsteady on his feet. I began to ask the male how much he had had to drink and how long he had been in Butlers Bar and Grill. As I was speaking to him Lynda Butler rushed towards the rear garden gates and opened them, she started raising her voice and was agitated. She ignored the fact that I was speaking to the male and said "go on go, you need to leave now, go on leave, you've got to go". I continued to try to question the male to find out how much he has been drinking as I was concerned for his safety given that he had just been very sick and was so unsteady on his feet. Before the male could answer any of my questions Lynda Butler walked

back towards the pub door and said in an agitated voice "He's had one drink and only been here
Signature: Signature witnessed by:





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MG11
Page 3 of 5

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

half an hour". She then walked back into the pub. I again asked the male how long he had been at the premises, he said words to the effect of "About an hour, I have a weak gag reflex, my child has it too, I'm always sick"

At this point we were joined by David Butler in the rear garden and I continued to speak to the male in the blue T-shirt. I asked how he planned to get home and whether he had a friend who could ensure he got home safely. At this point David Butler stated that he would find the male's friend and ensure that he got home. Myself and Pc Conway then made our way back through the bar and as I reached the main front door I could see a number of males at the bar drinking shots of some description.

We left the premises via the main front door and I saw that David Butler was now at the side of the pub with the male in the blue T-shirt and another male. The male in the blue T-shirt was staggering away from the pub followed by the other male.

As this point myself and Pc Conway resumed to our vehicle and had no further dealings with the premises.

It is my opinion that the male in the blue T-shirt was very drunk and he had been served alcohol at the premises prior to our arrival. Given the level of his intoxication it is clear that he should not have been served alcohol as he was drunk. I am concerned that had myself and Pc Conway not attended the premises this male would possibly have been served more alcohol despite being heavily drunk or he would have been left to leave the premises alone which would not have been appropriate.

At 1703 hours on Thursday 1st August 2013 I was on duty in uniform at Southampton Central Police Station when I conducted a check of the Hampshire Police Report Management System.

The purpose of this was to check the incident and report history for Butlers Bar and Grill, 1

Shaftesbury Street, Fordingbridge, SP6 1JF. I conducted a check of all intelligence reports

Signature: Signature witnessed by:





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MG11
Page 4 of 5

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

recorded between 1st January 2012 and the present date. I can confirm that all of the intelligence reports recorded on the system related to drug activity at Butlers Bar and Grill.

Between the 2nd January 2012 and 1st October 2012 there were 4 intelligence reports all of which stated that named individuals were 'dealing' Class A drugs within the premises.

Between 18th January 2013 and 27th April 2013 there were 4 intelligence reports which stated that named individuals were dealing both Class A and Class B drugs within the premises.

Signature: Signature witnessed by:





WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

For Police and Prosecution Only

Witness contact details

URN: | | |

Home Address:

Post Code :

Home Telephone No:

Work Telephone No:

Mobile / Pager No:

Email address:

Preferred means of contact (specify details):

Best time of contact (specify details):

Gender:

Date and Place of Birth:

Former name:

Ethnicity
Code:

Religion /
Belief:

DATES OF WITNESS NON-AVAILABILITY:

Witness Care

- a) Is the witness willing and likely to attend court?
If 'No', include reason(s) on form MG6. Yes No
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or
intimidated witness? If 'Yes' submit MG2 with file. Yes No
- d) Does the witness have any particular needs? Yes No
If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to the police - what happens
next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter
(obtained in accordance with local practice): Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the
defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings if
applicable e.g. child care proceedings, CICA: Yes No N/A
- g) The information recorded above will be disclosed to the Witness Service so that they can
offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness:

PRINT NAME

Signature of parent / guardian /
appropriate adult:

PRINT NAME

Address and telephone
number if different from above:

Statement taken by:

Station:

Time and place statement
taken:

Signature: / Signature witnessed by:



Working Sheet

Hampshire Constabulary

Printed: 05/07/2013 19:30 by 18

Occurrence: **44080206070 Z Prem Licence (Management Occurrence)**

Author: #20730 DENIZ, C.

Report time: 01/03/2013 13:18

Entered by: #20730 DENIZ, C.

Entered time: 01/03/2013 13:18

Remarks: Assault inside the pub on 23/02/2013 - see linked occ.

At approximately 23/02/2013 at 2320 hours I was on duty in full uniform on High Street, Fordingbridge, while I was in company of PS 24209 TOWLER. I saw a male, [redacted] outside Butlers Public House having an argument with someone and swearing. When I approached and spoke to him he disclosed to me that he was assaulted by another male, who later was identified as [redacted] in Fordingbridge, during a an argument as having with his girlfriend at the time. [redacted] interfered, and when told by [redacted] that it was 'NON ON HIS FUCKING BUSSINESS' or very similiar terms, he punched [redacted] on his mouth.

FAILED TO MAKE A STATEMENT/FORMAL COMPLAINT FOR FEAR OF RETRIBUTIONS. HE DID DISCLOSE THE INFORMATION AND HE WAS HAPPY FOR THE POLICE TO SPEAK TO SPEAK TO THE OFFENDER, AND HE ASKED FOR cctv FROM THE PUB TO VIEWED IN PARTICULAR. FOLLOWING DAY ON 24TH FEBRUARY I ATTENDED BUTLERS PUBLIC HOUSE TO VIEW THE CCTV. LINDA BUTLER DID NOT KNOW HOW TO WORK THE CCTV, AND THERE WERE NO OTHERS WHO COULD WORK IT. I TREID TO OPERATE IT UNSUCCESSFULLY. IT APPEARED NOT RECORDING. BUTLER STATED THAT SHE WOULD SPEAK TO THE TECHNICIAN AND COME BACK TO ME. HOWEVER SHE DID NOT HITHERTO.

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Working Sheet

Hampshire Constabulary

Printed: 05/07/2013 19:31 by 18

Occurrence: **44080206070 Z Prem Licence (Management Occurrence)**

Author: #25320 MADDOCK, K.

Report time: 21/05/2013 17:30

Entered by: #25320 MADDOCK, K.

Entered time: 21/05/2013 17:30

Remarks: High Risk MISPER - 44130171926 located here

Myself and Clare Holmes were dispatched to look for a male who had sent suicide texts to his partner informing her he was going to kill him self and that he had taken a load of paracetamol. He had then disappeared and no one was able to contact him. The males wife thought he may be in Butlers so I went inside with a description of the male and asked the barman (don't know his name) if he had seen him. I could sense that I wasn't overly keen for me to be in there but he did listen and told me that this male wasn't in there. I told the barman that he wasn't in trouble and that he'd been reported missing and how we just needed to check on his welfare.

I left Butlers with the feeling that something was missing. I went back about 15 minutes later with a photo of the missing man only to be told again that he hasn't seen him. The barman got very defensive about this and I just explained that I thought the photo may help. Again he clearly stated to me this male was not in the pub. I had now started getting some interest from the other locals and they were asking about the photo. None of them in the main bar knew him. There were more people in the back of the bar so I asked if I could go and show them the photo. He agreed but wanted to come with me, I showed the photo to a lady in the back of the bar who said she knew him. As she said this I saw the barman pull a face to her as if to try and prevent her from talking to me about him. Luckily she ignored him and told me the male was in the beers garden where he was found safe and well.

I just thought that you both should be aware of this as I know there is issues with the place. The barman was around 50ish and had tattoo's on his arms. He, to my knowledge, was the only barman on at the time and there is no doubt he knew he was in the beer garden. I felt he was deliberately trying to prevent from finding this male even though I had told him he was not in trouble. I didn't disclose to him that he had taken an unknown quantity of tablets as he didn't need to know that but I still think as the person responsible there he should have been a lot more helpful to Police.

25320

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Printed by: 18 Date: 05/07/2013 19:31 Computer: SC526 Page 1 of 1

Working Sheet

Hampshire Constabulary

Printed: 05/07/2013 19:30 by 18

Occurrence: **44080206070 Z Prem Licence (Management Occurrence)**

Author: #24209 TOWLER, P.

Report time: 18/05/2013 00:40

Entered by: #24209 TOWLER, P.

Entered time: 18/05/2013 00:40

Remarks: Drunken youths coming from premises

Whilst passing the premises at 0015hrs, several drunken youths were outside on the pavement. 1 male banged on the police van as we drove past. On speaking to them, 2 of the youths were very drunk & abusive. One of them did not look older than 16. Due to being on a domestic deployment at the time, we were unable to gather all their details or make any arrests but sent them on their way with friends.

All throughout the evening, youths were seen outside the location, appearing drunk & walking into the road.

PS Towler

RESTRICTED

Printed by: 18 Date: 05/07/2013 19:30 Computer: SC526 Page 1 of 1

Event details

Event type: Public Order Other Incident
 Reported time: 2013-06-08 00:46:51
 Closure time: 2013-06-08 02:38:13
 Call source: 999 CALL
 Priority: EMERGENCY CONTACT
 Complainant:
 Complainant phone number(s):
 Location:

Dispatched officers

Event commentary

2013-06-08 00:46:51: INFT STATES THERE IS A LOT OF FIGHTING GOING ON IN THE STREET OUTSIDE HIS ADDRESS. INFT SAYS THERE ARE APPROX 20 PEOPLE FIGHTING, MALES AND FEMALES. NO WEAPONS SEEN.

2013-06-08 00:48:32: CALL FROM [REDACTED] FIGHT IN PROVOST STREET [REDACTED] 15-20 PEOPLE INVOLVED NO APPARENT NEED FOR ANY MEDICAL ATTENTION NO WEAPONS SEEN

2013-06-08 00:53:20: ND71 - FOUND THE GROUP

2013-06-08 00:55:26: ND71 AIO CAN I HAVE 2 MORE UNITS FOR AREA SEARCH EVERYONE ELSE CAN STAND DOWN

2013-06-08 01:00:00: [REDACTED] 1023 [REDACTED]

2013-06-08 02:38:13: *** RESULT *** ALL QUIET ON ARRIVAL. NO PERSONS SEEN FIGHTING. ONE MALE WITH MINOR INJURIES DECLINED TO TALK TO POLICE

Supplementary people

- Classification: Person reporting
 Name:
 Gender:
 Date of birth:
 Race: White
 Height:
 Build:
 Hair colour:
 Eye colour:
 Complexion:
 Driver's license:
 Clothing:
 Features:
 Additional information: SECOND REPORTING PERSON - TEL (

Occurrence summary

Hampshire Constabulary

Printed: 18/07/2013 15:29 by 18

Occurrence: 44130207722 Assault @08/06/2013 00:46

Date/Time: between.... 08/06/2013 00:46 and 08/06/2013 00:46

Clearance status: Filed

- Involved person(s):
- 1) [Person reporting] [REDACTED]
[REDACTED]
DORSET United Kingdom
NEW FOREST, Sector: NR NEW FOREST NORTH
 - 2) [Aggrieved] [REDACTED]
[REDACTED]
England [REDACTED] NEW FOREST, Sector:
NR NEW FOREST NORTH. Beat: [REDACTED] (and line)
 - 3) [Subject] [REDACTED]
[REDACTED] ad Kingdom OCU: 1
WESTERN, District: N NEW FOREST, Sector: NR NEW FOREST NORTH
Beat: 1NR08 FORDINGBRIDGE) (Mobile) [REDACTED]
 - 4) [Subject] [REDACTED] 971 (42) N
FORDINGBRIDGE, HAMPSHIRE United Kingdom OCU: 1
WESTERN, District: N NEW FOREST, Sector: NR NEW FOREST NORTH.
Beat: 1NR08 FORDINGBRIDGE) (Mobile) [REDACTED]
 - 5) [Subject] [REDACTED]
[REDACTED] HAMPSHIRE United Kingdom OCU: 1
WESTERN, District: N NEW FOREST, Sector: NR NEW FOREST NORTH,
Beat: 1NR08 FORDINGBRIDGE)), Id #:709903
 - 6) [Subject] [REDACTED]
FORDINGBRIDGE, HAMPSHIRE United Kingdom OCU: 1
WESTERN, District: N NEW FOREST, Sector: NR NEW FOREST NORTH,
Beat: 1NR08 FORDINGBRIDGE) (Land line) [REDACTED]
PNC Id:07/17
- Involved address(es):
- 1) [Reporting person address] [REDACTED]
[REDACTED]
NEW FOREST, Sector: NR NEW FOREST NORTH, Beat: 1NR08
FORDINGBRIDGE)
 - 2) [Dispatch address; Occurrence address] [REDACTED]
FORDINGBRIDGE, HAMPSHIRE United Kingdom (OCU: 1 WESTERN,
District: N NEW FOREST, Sector: NR NEW FOREST NORTH, Beat: 1NR08
FORDINGBRIDGE)

Involved vehicle(s):

- Involved officer(s):
- 1) #15444 TOWERS, D. (Assisting officer)
 - 2) #3467 HUMPHRY, D. (Attending officer)
 - 3) #312 IRVING, C. (Assisting officer; Officer in case)
 - 4) #20730 DENIZ, C. (Assisting officer)

Flag(s):

Summary: Aggrieved was assaulted whilst in the garden of Butlers public house. He did not see the suspect and states he was again assaulted when he left the pub later in the evening. Aggrieved had been drinking on the night and cannot recall much detail of the

RESTRICTED

event. He received bruising to his face and chest area.

Remarks:

Working Sheet

Hampshire Constabulary

Printed: 05/07/2013 19:31 by 18

Occurrence: **44080206070 Z Prem Licence (Management Occurrence)**

Author: #312 IRVING, C.

Report time: 08/06/2013 14:53

Entered by: #312 IRVING, C.

Entered time: 08/06/2013 14:53

Remarks: Drunken male been at premises.

As per related occurrence 44130207722 I spoke to [REDACTED] 100hrs on 08/06/2013 he was intoxicated and unsteady on his feet and stated he had been in Butlers for the night.

He did not disclose any information about the disturbance that was reported to the police on the above occurrence.

He was in a large group of males and females including [REDACTED] and [REDACTED]

PC 312 Corinne Irving
Fordingbridge Rural North NR10A.

RESTRICTED (when complete)
WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN: | | |

Statement of: MR [REDACTED]
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Builder

This statement (consisting of page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: [REDACTED] Date: 23/06/2013

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above and live at the address as stated. This statement relates to an incident which occurred when I was out for the evening in Fordingbridge Town Centre on Friday 7th June 2013. I was assaulted during the evening when I believe it was still daylight and I was then further assaulted later on the same evening.

I cannot recall many specific details of the persons involved in the assault on myself as this was my first night out for a drink in a long time and I was under the influence of alcohol. I was also not expecting the assault and did not get a view of the persons involved.

At 2100hrs I was sat in the beer garden of Butlers Public House in Fordingbridge, I was on a bench and I can recall that a female came up to me and sat on my lap. I was chatting to her but cannot recall what about, I have been told by other people that she then kissed me but again I do not recall this.

As the female was sat on my lap I could see the look on her face had changed when she had seen someone coming towards us. I later discovered that this was her boyfriend but I did not see him. I went to turn in the direction that she was looking and the next thing I felt was a blow on the left hand side of my head. I can't really remember much after this but I do recall chatting to the landlady about the incident who advised that I should go home, she may have called for a taxi but I cannot be sure.

The next thing on that night that I can recall is that when I went outside of the pub 3 people starting assaulting me, I have been told that one of the persons was the same male from earlier but I cannot confirm this as I did not get a good enough look at him myself. I received injuries as a result of both of these assaults and the next thing I do recall is that the police took me home.

Signed : [REDACTED] Signature witnessed by : [REDACTED]



HAMPSHIRE CONSTABULARY

MG11T

Page 2 of 3

RESTRICTED (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Continuation of Statement of: 

I can confirm that I had been drinking alcohol on this evening and was quite intoxicated at the time of the assaults. This is why my memory of the incidents is not particularly very good.

The only description I can recall of one of the males who assaulted me is that he had white skin, about 20/23yrs old, tall with brown hair and I am not sure what he was wearing.

As a result of the assaults I had bruising on the left hand side of my face around the eye and cheekbone, it was swollen and some of the skin had come off. I also have some pain on the upper part of my chest area on the left hand side. I have not been to the doctors about my injuries.

Signed :

A handwritten signature in black ink.

Signature witnessed by :

.....

Working Sheet

Hampshire Constabulary

Printed: 23/07/2013 16:55 by 18

Occurrence: 44130207722 Assault @08/06/2013 00:46

Author: #312 IRVING, C.

Report time: 01/07/2013 10:22

Entered by: #312 IRVING, C.

Entered time: 01/07/2013 10:22

Remarks: OIC FINAL WORKING SHEET.

OIC FINAL WORKING SHEET**This needs to be completed for ALL CRIMES****INVESTIGATION****Please provide an overview of your investigation**

Details of allegation

Key enquiries and evidence revealed

Outcome of investigation (include rationale, MG3 or custody officers decision. No crime justification)

ALLEGATION - There has possibly been a couple of separate incidents on this evening at Butlers. The aggrieved [REDACTED] was heavily intoxicated on the night and does not recall much of what went on. He was spoken to by police on the night but did not want to supply any details of the incident and was taken home. I know his parents and have managed to attend his address and speak to him with them present. He has recovered from his injuries and has made a very short statement concerning this matter. He cannot recall any named witnesses that he knows would have witnessed the assault.

SCENE - Butlers public house is situated in the high street in Fordingbridge. It is generally busy on a Friday night and there have been issues in recent months with the intoxication levels of persons inside and when leaving the premises. There has been a licensing meeting only recently.

CCTV - There is no cctv in the high street. There is cctv inside Butlers at out the rear door towards the beer garden. I have spoken to Lyn Butler and there is nothing recorded of this incident on the cctv.

HOUSE TO HOUSE - This was called in on the night by persons who live nearby but they cannot specifically identify anyone involved. I have spoken to the original informant and unfortunately he cannot identify any of the persons involved other than when he rang in he saw 2 males onto 1 male. I have also spoken to [REDACTED] who is a [REDACTED] and lives nearby and rang in on the night. Unfortunately, because it was dark [REDACTED] could not identify anyone involved. She states there was lots of noise and shouting and males were throwing punches at each other and the girls were screaming. [REDACTED] currently keeping a record of the noise and incidents in preparation for the next licensing meeting.

VICTIM/WITNESSES - The aggrieved has now been traced and spoken to some weeks after the incident. He is not vulnerable but it appears that he did little to provoke this attack on the evening in question. There do not appear to be any witnesses that have come forward to either of the assaults on the aggrieved yet the pub was busy on the night. I have no doubt that persons were witness to what happened but do not want to speak to the police about this matter.

SUSPECT - There is no identified suspect at this time

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SUSPECT - There is no identified suspect at this time.

EVIDENCE - There is no evidence that was left at the scene, the aggrieved's injuries have now disappeared and he did not attend his doctor's for any treatment.

FURTHER LINES OF ENQUIRY - The aggrieved accepts that he cannot recall much detail of what happened on the night and cannot identify the suspects visually due to his intoxication. It is possible that he is aware of who the offenders are but will not disclose this to the police. This is not because he has seen them but he has been told by others in the town who was responsible.

I have attended the premises and spoken to Lyn Butler who does not recall the incident well, she believes that something occurred on the night but was not witness to the actual assault. I have advised that I have traced at least one male who believes he was assaulted whilst sat on a bench in the beer garden at approximately 2100hrs on the night in question. Although the pub was busy no persons have come forward to assist police with enquiries and no persons came forward on the night when police attended to give any information.

I believe that there has possibly been a couple of incidents at the premises on this night. The first assault the aggrieved states took place in the beer garden at 2100hrs as far as he can recall. There is then a time lapse with the calls to police when fighting was occurring outside of the premises where witnesses state males were throwing punches at each other. It maybe that there is a connection with these incidents but it is also possible that there were two separate incidents on that night.

At this time there are no further enquiries that can be made into this matter. PC Deniz the local beat officer is monitoring the behaviour at Butlers along with Licensing Department. I respectfully request at this time that this matter is filed as undetected.

PC 312 Corinne Irving
Fordingbridge Rural North NR10A.

**VICTIM
CODE**

Specify date and method victim informed of outcome. Also what the victim has been told (e.g. whether the case has been filed and why, what they can expect next if anything etc)

1st July 2013 by telephone, advised that this will be filed at this time pending further evidence or information coming to light.

NATIONAL CRIME RECORDING STANDARDS (NCRS) COMPLIANCE

Before answering the following questions be aware that, if the alleged victim confirms that a crime has taken place but declines to support any police action a crime should still be recorded

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Working Sheet

Hampshire Constabulary

Printed: 05/07/2013 19:32 by 18

Occurrence: 44080206070 Z Prem Licence (Management Occurrence)

Author: #20730 DENIZ, C.

Report time: 11/06/2013 16:26

Entered by: #20730 DENIZ, C.

Entered time: 11/06/2013 16:26

Remarks: Disturbance in Butlers Public House.

While I was on R/Ds, I received a voice message from Lynn BUTLER of Butler's Public House on my work Blackberry mobile phone. BUTLER requested a call back from me the content of the message suggested that there was an issue with Hampshire Police Officers during the weekend.

On my return to duty on Monday the 10th June 2013, I attended Butler's Public House and I spoke to Lynn BUTLER asking what the issue was and how I could assist. I was also aware that there was the report of a large fight on Provost Street in Fordingbridge during the weekend, the nearest pub being Butler's Public House.

Lynn BUTLER informed me that 2 male officers arrived at Butler's after midnight during the early hours of Saturday the 8th June 2013. I noted that this was when the above mentioned large fight was reported to the police. BUTLER then continued to tell me that these officers came in said 'YOU HAVE GOT A PROBLEM!' I then enquired what else happened and BUTLER would/could not tell me more to explain what had happened. I asked her if the officers explained the reason why they were there and if they offended her in any way etc. etc. BUTLER, again, was not clear answering my question, but she stated that she had told the officers 'WHAT PROBLEM,CAN YOU SEE ANY PROBLEM?' I then decided to disclose to her that I was aware of the report of a fight outside on Provost Street and my belief that the officers were there for that reason. BUTLER then told me that there was no fight inside the pub, and carried on repeating to me that he had also said to the officers at the time 'WHAT PROBLEM,CAN YOU SEE ANY PROBLEM?' At the time I spoke to Lynn BUTLER, her ex-husband John BUTLER was also present. I am aware that both Mr. & Mrs. BUTLER are premises license holders. Although I enquired about it neither of Mr. & Mrs. BUTLER told me about the incident stating that they were not aware of an incident/fight.

I then carried out my inquiries in town and the information I have is as follows;

██████████ was in the pub quite drunk. ██████████ was in the pub with her husband ██████████ her sister ██████████, and ██████████ fiance ██████████. There were a few people dancing on the floor. ██████████ I kept bumping into people, in particular to ██████████. I ██████████ had an operation oher feet which was well on the way back to recovery. ██████████ was told by a number of people, including ██████████ to stop bumping into people. ██████████ was very very drunk and he

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did not know what he was doing. [REDACTED] swung for [REDACTED] and [REDACTED] responded. Both parties were taken out from the pub [REDACTED] and [REDACTED] and a few others who have their allegiance with these 2 were involved in a fight. This information is reliable and much of it is first hand information given to me directly. Unfortunately there are no complaints/injuries and nothing to support prosecution even though it would be in public interest to prosecute. I will be happy to provide an MG11 to this effect if it becomes relevant in the future.

I am aware that later on during a licensing visit, and when sufficient information regarding the police's knowledge of the incident was disclosed to Lynn BUTLER, she acknowledged that the incident was caused by [REDACTED] and volunteered to ban [REDACTED] from her pub on her own free will and account.

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Printed by: 18 Date: 05/07/2013 19:32 Computer: SC526 Page 2 of 2

Working Sheet

Hampshire Constabulary

Printed: 05/07/2013 19:31 by 18

Occurrence: **44080206070 Z Prem Licence (Management Occurrence)**

Author:	#18 PLASCOTT, C.	Report time:	11/06/2013 15:58
Entered by:	#18 PLASCOTT, C.	Entered time:	11/06/2013 15:58
Remarks:	Joint Licensing visit 10/06/13		

10/06/13 - A meeting was held at Butlers today between Ps Plascott, Ps Towler, Pc Deniz and the DPS Lynn Butler. This follows an increase in reports of ASB, crime and nuisance linked to the premises in recent months along with a number of concerns over drug activity.

The incidents that have occurred, along with the drug activity concerns were put to Lynn at the start of the meeting, she became very defensive and did not accept that she had a duty to take ownership of these issues. Her overall beliefs are that she can not be held responsible for incidents that take place outside her venue once she has closed. It was clearly explained to her that any customers who have been using her venue and cause problems outside or in the vicinity when leaving are her responsibility especially when they have been drinking at the venue.

It has been agreed that an increased police presence will be put in place at weekends with local officers going into the venue, this has been welcomed by Lynn. Local officers will record any incidents on the master occurrence and will provide statements should they come across any examples of poor management at the premises.

I then conducted a general licensing spring clean and a number of issues became apparent which indicate that the premises have limited procedures in place to show support of the licensing objectives;

CCTV - This is in use at the premises but no member of staff including the DPS are sufficiently trained to use it, the DPS will not download footage from the system despite being told that she should be doing this when required. She states that she will always call out a technician and they will attend within 24 hours. I have recommended that all staff are to be trained. I will re-iterate this in a letter. I have also stated that I feel that the outside camera at the rear should be moved to monitor the rear gate in order that it will capture persons arriving and leaving as staff inside can not see this entry point from the bar.

Staff training - There is no package in place, DPS feels that as her two staff are PLH's and have taken the PLH course within the last year, they are suitably trained. I explained that they need to be refresher trained every six months and tested to prove knowledge. There is no written training package of this kind in place and the DPS seems reluctant to put this in place. A letter will be sent out re-iterating this.

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Incident/refusals log - This is in use at the premises and entries have been seen, they are mostly detailed but there is room for improvement. I will include this in the follow up letter requesting that all entries are signed, dated and timed, and that the DPS reviews and signs the log every day even if there are no incidents. I have advised her to ensure that all refusals/age challenges are recorded and the details of any identification used are recorded as part of the entry.

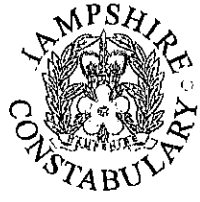
Age verification policy - The premises operate a challenge 25 policy however the local SNT have concerns that persons looking younger are being served alcohol and are not being challenged. The DPS states that she and staff do challenge and they actually know many of the young persons who drink at the venue and know that they are old enough. I have advised her to ensure that there is more robust checking and recording as above.

Toilet checks - DPS states that thorough toilet checks are carried out on a hourly basis, these include checks of persons using the toilets, checks for evidence of drug taking etc I have asked that these continue and that the venue place posters in the toilets regarding their zero tolerance drugs policy. I have advised DPS that her staff training must incorporate the signs and symptoms of drug use etc.

Door staff and dispersal of customers - The venue do not and will not be having door staff. The DPS agrees that she should take a more active stance in relation to dispersing her customers. I have advised her that I would recommend a dispersal policy, I will send details within the letter.

I would now suggest that this premises has become a RED premises and as such they will receive regular monitoring from both SNT and Licensing. Regular visits will be carried out and a further full spring clean will take place after 2/3 months to see if any of the recommended actions have been taken on board. If this is not the case and we continue to receive intelligence/incident reports I feel that the next step will be to submit review paperwork.

PS 18



Hampshire Constabulary
Chief Constable Andy Marsh

Mrs L Butler,
Butlers Bar and Grill,
1 Shaftesbury Street,
Fordingbridge,
Hampshire,
SP6 1 JF

Police Licensing Unit
Southampton Central Police Station
Southern Road
Southampton
Hampshire
SO15 1AN

Our ref: 44080206070
Your ref:

Telephone: 0845 045 45 45
Direct dial: 023 8067 4768
Fax No: 0845660037
Deaf/speech impaired minicom: 01962 875000
Email: southampton.licensing@hampshire.pnn.police.uk

11th June 2013

Dear Mrs Butler,

Following the licensing visit conducted by myself, Ps Towler and Pc Deniz at Butlers Bar and Grill today, I have attached a summary of our observations and the police recommendations that will assist your premises in promoting the licensing objectives.

As you are aware Hampshire Constabulary are committed to working with the licensees in supporting the four licensing objectives i.e. –

- The prevention of crime & disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

At present, and as highlighted during our visit today, you have limited procedures in place to evidence your support of the licensing objectives. I would suggest that you consider the following recommendations made by the licensing department and the attached conditions as guidelines to promote good practice.

Should further incidents occur and the issues mentioned in this letter not have been addressed. It may result in your premises licence being reviewed.

If you have any queries at all then please do not hesitate to contact me.

Yours Sincerely,

Ps 18 Plascott

Violent Crime Reduction & Licensing Team



Hampshire Constabulary Chief Constable Andy Marsh

Licensing Visit (Butlers Bar and Grill 11/06/13)

CCTV

Police Observations: Your current CCTV system has a number of cameras positioned both inside and outside the venue, the system also holds 28 days worth of recorded footage which is acceptable. There are no other members of staff who are trained to use this system or to download footage when required. I also note that there are no written records of weekly checks to ensure the CCTV system is working.

Maintaining a good CCTV system is very important in promoting and supporting the licensing objectives. I recommend that you improve the management of your CCTV system in line with the attached condition will provides guidance of good practice.

The premises should have sufficient cameras to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (if used) and all levels of illumination throughout the premises as well as the outside areas.

CCTV warning signs must be fitted in public places.

The CCTV system should be in operation at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation.

The recording system will be able to capture a minimum of 4 frames per second and all recorded footage must be securely retained for a minimum of 28 days.

Records must be made on a weekly basis and kept for inspection to show that the system is functioning correctly and that data is being securely retained.

The DPS or premises manager must be able to demonstrate that the CCTV system has measures to prevent recordings being tampered with, i.e. password protected.

There shall be sufficient members of trained staff at the premises during operating hours to be able to provide viewable copies immediately to police on request when investigating allegations of offences or criminal activity. Any images recovered must be in a viewable format on either disc or VHS. Footage supplied in a digital format on CD or DVD will also have a copy of the CCTV system software enabled on the disc to allow playback.

In the event of technical failure of the CCTV equipment the Premises Licence holder/DPS MUST report the failure to the Hampshire Western Police Licensing Unit within 24 hours.

I note that the above advice was recommended to you during a previous licensed visit in June 2012. During our visit today it was clear that this advice had not been followed.

Venue: You have advised me that whilst happy using the system you are not happy to download footage upon police request and would prefer to call a technician. You have also advised me that you are not suitably trained to use the CCTV system and that there are no other members of staff trained. You have agreed to consider training for yourself at this time.

Refusals/Incident book

Police Observation: You currently have a book in place for the recording of incidents and refusals. I have checked this today and there are incidents recorded and the entries are signed, please ensure that entries are also timed. As discussed I would recommend that you use this book for the recording of any challenges for ID, ensuring that sufficient detail is recorded, such as the identification produced, any reference details and the name of the person challenged. I would also recommend that it is used to record the weekly checks of the CCTV system. Please ensure that you review and sign each entry at the end of each working day, should there be no incidents then this should also be recorded and signed to that effect.



Hampshire Constabulary Chief Constable Andy Marsh

Recording these items not only evidences the effectiveness of your due diligence training, but also your support of the licensing objectives – protection of children from harm, public safety, prevention of crime and disorder, and prevention of public nuisance.

Venue : You agreed that you would record all details of incidents, refusals and L.d challenges as recommended above.

Training

Police Observation : You currently have no formal training package in place, although your staff are Personal Licence holders they will still require regular refresher training and it is best practise to maintain a training package. It is disappointing that despite police recommendations for a staff training package when you have been visited on two previous occasions, this package has not been put in place. The implementation of a training package was recommended by Georgie Fice from the Licensing Team in March 2012 and again by Pc Bethan Wood in June 2013.

As discussed I recommend that all your staff should receive due diligence training. This means educating them in order to prevent sales of alcohol to anyone under 18 years of age, or anyone who is drunk. It is an offence to make these sales, and failure to be able to evidence training of your staff could leave you liable for prosecution if another member of staff makes the sale. We would encourage you to put together a training package, to have each member of staff complete it, and to ensure that it is signed and dated by each staff member to confirm that this has taken place.

I would recommend compliance with the attached condition which gives guidance of good practice.

Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. All staff will receive refresher training every six months as a minimum and records should be kept of this refresher training which should be signed and dated by the member of staff who received that training.

In addition to their training a written test related to the training given will be conducted before the staff member is permitted to sell or authorise the sale of alcohol. The test should consist of a minimum of ten questions of which the pass rate is 80%. Anyone who fails to reach the prescribed pass rate will be retrained and re-tested. Anyone not attaining the pass rate should not be permitted to sell or authorise the sale of alcohol until the pass rate is attained. There will be a minimum of two sets of questions to be used in the training which will be rotated upon each subsequent six month training session.

All training records will be made immediately available for inspection by Hampshire Constabulary and any responsible Authority upon request. Training records will be kept for a minimum period of two years. Training records will be kept on the licensed premises to which they relate to.

I attach the links below for guidance;

Responsible service of alcohol – a servers guide (free)

<http://www.icap.org/LinkClick.aspx?fileticket=QmsJ586LB4Q%3D&tabid=111>

Service Excellence Passport (£2.50 each) -

<http://www.abvtraining.co.uk/index.htm>

Flow, Licensing & social responsibility (£36.00)

<http://www.flowhospitalitytraining.co.uk/hospitality-training/licensing-training>

BIIAB Level 1 Award in Responsible Alcohol Retailing training course (£55.00)

<http://www.accesstraining.co.uk/Training-Courses-And-Consultancies/Licensed-Trade-Courses/BIIAB-Level-1-Award-in-Responsible-Alcohol-Retailing/>



Hampshire Constabulary Chief Constable Andy Marsh

Act 2003 Ltd DVD & training package (£69.99)
http://www.act2003.co.uk/underage_dvd.htm

Licensing Matters Due diligence training packages (varies)
<http://www.licensingmatters.net/duediligence.html>

Hampshire County Council (focuses on age related products not drunkenness)
<http://www3.hants.gov.uk/underagesales.htm>

Venue: You state that you have very few staff working for you at this time and have stated that both employees are Personal Licence Holders so you felt that they were suitably trained.

Age Verification policy.

Police Observation

You currently operate a Challenge 25 policy. Challenging those who appear to be 25 or under provides you and your staff with a safety net to identify those who appear to be over 18 but are in fact are under the legally required age.

As discussed please ensure that all challenges are recorded in the incident book along with details of the identification produced.

We also discussed the issue of young persons attending your venue having 'pre-loaded'. As already mentioned please ensure that all staff are trained in recognising the signs and symptoms of a drunk and are confident in refusing sales to those already intoxicated or those who are believed to have 'pre-loaded'.

Venue: You have agreed to ensure that Challenge 25 is continued and that all challenges are recorded in your incident/refusals log.

Toilet Checks

Police observations

We have discussed the recent ION track drug swabbing which did reveal high readings at your venue. I also made you aware that the police had received information regarding possible drug activity at your venue. It is therefore important that every effort is made at your venue to tackle and improve this issue.

Toilet checks are completed at your premises and the checks are recorded at the end of the day as one entry in the incident book. Toilet checks are a valuable tool in identifying and reducing drug use at licensed premises. They also assist in the identification of drunk persons. As discussed please continue these hourly checks and as recommended please consider implementing a check sheet which can be initialled after each check.

Venue: You have stated that your hourly toilet checks will continue and are happy that all staff are clear on what they need to look for when conducting these checks.

Door staff and Dispersal of persons at the close of business

Police Observations

As discussed a number of incidents have occurred over recent weeks when customers have left your venue at closing time. These include assaults, disorderly behaviour and general noise nuisance. Such incidents have been reported by local residents or have been found in progress by officers on patrol. You do accept that customers leaving your venue do tend to congregate outside in the street after leaving. As discussed, this issue needs to be addressed and we have asked that you take steps to disperse customers leaving your venue.



Hampshire Constabulary Chief Constable Andy Marsh

You do not use door staff at your premises and do not propose to although this is a measure that I would highly recommend. I have suggested that a Dispersal Policy is implemented and attach the following as an example. I would also recommend that posters are displayed at the entrance instructing customers to leave quickly and quietly.

Dispersal Policy

The aim of our dispersal policy is to ensure the following;

Anti-Social Behaviour is kept to a minimum –

Our staff will be available to monitor the dispersal of customers leaving the venue on weekend evenings. They will be available half an hour before the end of the night and will act as a deterrent to persons who attempt to congregate outside the premises.

Our staff will stay on until all customers have left the vicinity of the venue.

Any anti-social behaviour will be acted upon in the appropriate manner, and police action considered if necessary.

Noise to be Kept to a Minimum Outside the Venue –

Signage will be visible to customers as they exit the venue asking them to keep noise to a minimum and respect our neighbours.

Our staff will tell customers to keep noise to a minimum on leaving and will move customers on where necessary.

Ensure the safe dispersal of all customers –

A member of staff will monitor the entrance to ensure that no drinks leave the venue at the end of the evening.

To encourage customers to leave in a manageable way and music within the venue will be switched off 15 minutes before the end of the night and the bar closed 10 minutes before final closing.

Once all customers have left the vicinity of the venue our staff will then stand down.

The dispersal will be overseen and Managed by the Designated Premises Supervisor or Manager at the time. Changes in the procedures may be made at any time if the Management feel it necessary.

Venue: As discussed, you have accepted that persons congregate once they have left your venue. You have agreed to take a more proactive approach to ensuring your customers leave the area quickly and quietly.

During our visit Ps Towler mentioned that the police had received very few calls from your venue in relation to incidents. I would ask that you do not hesitate to report any incidents which occur at or outside your premises in order that we can work more closely to address such issues and reduce anti-social behaviour and nuisance.

Event details

Event type:	Public order - Drunkeness
Reported time:	2013-06-22 00:23:13
Closure time:	2013-06-22 01:43:50
Call source:	TELEPHONE CALL
Priority:	NEIGHBOURHOOD RESPONSE
Complainant:	[REDACTED]
Complainant phone number(s):	[REDACTED]
Location:	[REDACTED]

Dispatched officers

Event commentary

2013-06-22 00:23:13: A GROUP OF PEOPLE HAVE TURNED OUT FROM THE LOCAL PUB CALLED BUTLERS AND ARE AGAIN SHOUTING AND SCREAMING AND MAKING A LOT OF NOISE. HE HAS RUNG UP BEFORE ABOUT THIS. THEY ARE NOW CONGREGATING OS THE PUB. SOME HAVE WALKED UP TO THE HIGH STREET. SRS 8 *****

2013-06-22 01:04:17: PESONS MOVED ON

2013-06-22 01:43:50: *** RESULT *** ***PERSONS MOVED ON CLOSURE , ISOLATED INC ****

Working Sheet

Hampshire Constabulary

Printed: 18/07/2013 15:22 by 18

Occurrence: **44080206070 Z Prem Licence (Management Occurrence)**

Author: #24209 TOWLER, P. Report time: 29/06/2013 01:00
 Entered by: #24209 TOWLER, P. Entered time: 29/06/2013 01:00
 Remarks: Problem at premises & with DPS

I attended the PH with PC DENIZ at 2330hrs. The premises had about 40 persons inside. Many were very clearly heavily drunk. DPS (Lynne BUTLER) spoken to. I asked her if there was any problems from last weekend (see 44130227413). DPS stated none at all.

PC DENIZ spoke to a very drunk male who was rude to him. PC DENIZ asked DPS not to serve him any more drink & to ask him to go home (he was still drinking his pint of larger which was half full when we left).

At 0015hrs, we were driving past & saw a group of about 8 male youths & 1 female youth stood outside Butlers PH. One person shouted out as we drove past. We returned a minute later & entered the PH. As we did so, the group made comments about 'old bill' & 'shut up'. I asked DPS to take ownership of the group (as discussed at previous mtg - see Occ entries). She came outside but instead of being pro-active & supportive about moving group on, she claimed immediately that they were not from her PH. I recognised at least 3 of the group as drinking in the PH from my earlier visit. I pointed this out to DPS who then became argumentative with me, claiming that they were only smoking & were fine. I tried to explain to the group that they were drunk & being noisy & to move along/go home. They were argumentative with me which was not surprising as the DPS was supporting them.

PC DENIZ had also spotted the drunk male from earlier who the DPS was asked not to serve again, still at the bar with a pint of larger which was now 3/4 full. The DPS claimed that it was still the same pint as we saw him with earlier.

The DPS then asked PC DENIZ to one side where she started to loudly tell him he was annoying people in the Town with his actions over the last few months. I was left to try & disperse the group. I joined PC DENIZ & the DPS. PC DENIZ was calm but the DPS was raising her voice. I told her that this conversation would be annoying to neighbours & to lower her voice. Her breath smelt strongly of alcohol & she had glazed eyes. She was in drink & her behaviour I believed was impaired because of this. I explained this to her & said that I would visit her next week when she was sober to discuss tonight's incident. She stated that she would complain to the Chief Constable which I said was her right to do so.

PC Bethan WOOD from Licensing was spoken to & updated who was on duty.

PS Towler

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BUTLER'S PUBUC HOUSE

28/06/2013

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~~to the~~
~~to the~~

PS 2429 Towce
with together with
PS 2429 Towce
while I was in the
pub. male known
to me as [redacted] he
approached me. "You
fuckin' haven't
done anything with
THE Bureau" [redacted]
was clearly heavily

under the influence.
He came forward close
to me invading my
personal space and
using the "fuckin'"
word a few times.
He is smelling strongly
of alcohol, his speech
very slurred. Much of
what he said I could
not understand. I
therefore informed the
landlady in presence
of PS 2429 Towce
that in my opinion
[redacted] was drunk
and after he h. /

BUTLER'S PUBLIC HOUSE

28/6/2003
 his drink (suggested) that he didn't get another drink. Lynn BUTLER heard me and indicated that he would not be served more alcohol.
 005 Driving past BUTLER'S PUBLIC HOUSE also in the van PS 24209 TOWN. A group of people standing outside the pub as we drove past someone shouted towards the van PS instructed by

PS 24209 TOWN
 I turned around and drove back to BUTLER'S PUBLIC HOUSE
 PS TOWN spoke to these persons about the noise they were making outside the pub and the residents nearby would be disturbed etc. Lynn BUTLER was also called. When I looked through the door I could see
 [redacted] in the pub and on the

BUTLERS PUBLIC HOUSE

29/06/2015
her at exactly what ⁴⁸
he was doing and
I saw a pint glass
in his hand which
was 3 quarters full
and he was drinking
from it. Earlier when
I advised ~~him~~
about not serving any
more alcohol to

glass was
only half full.
At the time I also
explained the reason
why I was suggesting
that ~~it~~ was not
served, that he was

abuse etc. to
Lynn Brown, the
landlord, the DPS.
While I was outside
with PS TOWN
dealing with the
persons in front of the
pub, Lynn BROWN
called me around to
speak to me. I followed
her. She said to me
a JSH, HONESTLY
PEOPLE USED TO LIKE
YOU. ALL OF A SUDDEN
IN THE LAST COUPLE
OF WEEKS THERE
ARE SO MANY THAT

BUTLER'S PUBLIC HOUSE

29/08/2013
PISSED of with me
I could see that
nice we spoke to
BUTLER approximately
30 minutes earlier
BUTLER came under
the influence of
alcohol or other subst.
Her speech was slurred
She did not listen to
me when I tried to
point out to her about
that he had been
served more alcohol
She dismissed me
She continued to

tell me that there
were a lot of people
who were pissed off
with me and she
said to me "you
BE CAREFUL"

Working Sheet

Hampshire Constabulary

Printed: 05/07/2013 19:36 by 18

Occurrence: 44080206070 Z Prem Licence (Management Occurrence)

Author: #18 PLASCOTT, C. Report time: 05/07/2013 18:40
 Entered by: #18 PLASCOTT, C. Entered time: 05/07/2013 18:40
 Remarks: Visit to Venue 04/07/13

04/07/13

A joint visit was conducted at the premises today between licensing and SNT following a number of issues raised by SNT over the weekend of the 29th/30th June. This also followed the previous visit on the 11/06/13 where similar issues regarding ASB and dispersal were also raised. Following this visit the standard licensing letter was sent (attached to Z-Prem) outlining a number of recommendations.

On arrival both Mr and Mrs Butler were present and stated that they were working together to resolve the issues raised during the previous visit. They presented us with a document outlining how they propose to improve their business in line with the crime prevention objectives (also scanned to the Z-Prem).

I went through the previous police letter with both and it appears that since my last visit none of the recommendations have been actioned.

CCTV - Lynn advised that she had been trained to use the system but was still not happy to download footage. She maintains that in the case of an incident where footage is required by the police she will call a technician and will have footage available within 24 hours. She states that at this time the system is not working and they are waiting for a technician - this is a concern for me given that there have been problems over previous weekends in particular the weekend of the 28th/29th June (explained in the working sheet of Ps Towler dated 29th June). Lynn states that she will be losing her two staff this week and has two new members of staff starting in a few days. She states that these staff members will be trained in the use of the CCTV system meaning that there will be sufficient members of staff at the venue trained at all times. The system itself is compliant with the standard expected by Hampshire Police. There is still no CCTV signage on display at the venue, this was recommended on previous occasions and was again recommended today. Weekly checks of the CCTV system are now in place and a timed/dated/signed entry added to the incident log - this was seen and is sufficient.

Training - Lynn has not yet put a training package in place. She was advised that this was best practise by both Ps Barry and Pc Wood over the previous 18

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RESTRICTED

months, she had still not done this when I visited on the 11/06/13 and stated at this time that she did not feel that her staff needed it. In the document produced by Lynn today she has stated that she has assessed the on-line links provided by the police and will be taking up the training produced by Flow Hospitality Training in due course. This will involve six monthly training for all staff, test questions and covers all areas recommended by the police. As with CCTV although this is a proposal and shows intended improvement, it is still yet to be actioned.

I raised the issue of a drunk male in the venue on the 29th June. Ps Towler had seen the male and had advised Lynne that the male appeared very drunk and should not be served any further drinks, he should also be advised to make his way home. On Ps Towler's return sometime later the male was still present and had a further drink. I asked Lynne why this had happened and she advised that her staff must have served him. I have explained that this shows a lack of training as the staff had failed to recognise the signs of a drunk and clearly she had as Ps Towler had had to point the male out to her.

Late night dispersal - In our previous meeting we outlined the issues with dispersal and the related noise/ASB, also the complaints coming from local residents. During this visit Lynn would not accept that it was her responsibility once customers left her venue. Strong advice was given at this time. We discussed the issues raised by SNT for the weekend of the 28th/29th and their concerns that Lynn had failed to tackle the issue and disperse a loud/disorderly group. She fully accepted that she should have acted and apologised. During my last visit I advised her to put up signs in the venue advising customers to leave quickly and quietly and to respect neighbours – this had not been done, no posters were on display. I had also sent a template dispersal policy which I had encouraged Lynne to look at and recommended that she put in place her own policy. Nothing has yet been put in place.

Lynne's document states that they accept that noise is a problem at the end of the evening and that she will erect signage and place flyers on the bar. Also she and David will supervise dispersal in future and all dispersal recommendations mentioned in my letter dated 11/06/13 will be used as guidelines. David explained that having read the letter dated the 11th June he had now realised the severity of the issues and accepted that he and Lynne would now have to take a much more robust approach. I am still concerned that he has read the letter accepted that they need to take ownership but there were still problems during dispersal on the evening of the 29th June. I am concerned that both will agree to act but will not actually follow through the courses of action recommended, this has been clear in the past.

Both David and Lynne state that they accept how serious the issues have now become and that they will make immediate improvements. They state that they will concentrate more on food as opposed to alcohol. They will also work closely with the police

I raised the issue of Lynne being drunk and argumentative on the 29th June as highlighted by the officers. Lynne denied this stating that she was working, I

RESTRICTED

advised her that this was a very serious matter and would be monitored. I also advised that although the document setting out their intentions was commendable I still held serious concerns that there had been no improvement since my last visit and none of my recommendations had actually been put in place, only proposed. I explained that many of my recommendations had also been provided by other officers during past visits and had such measures been put in place on those occasions we would unlikely have experienced the issues over the last six months. Since the recommendations had not been put in place in the past I did not believe that they would be actioned now or that progress would be maintained. For this reason I would be putting forward a review application.

G90 and evidence to be gathered. Statements will be provided by Ps Towler, Pc Deniz and others from local residents who have complained reference noise, ASB and disorder during recent weeks.

PS 18 Plascott

Butlers Bar & Grill

Licensing Objectives

- The Prevention of crime & disorder
 - Public Safety
 - The prevention of public nuisance
- The protection of children from harm

Following police interviews it has been brought to our attention that we need to improve certain areas of our operation in order to meet the licensing objectives. Accordingly, after discussion and review, we will implement the following;

- STAFF TRAINING

Having assessed the various online options we have decided that Flow Hospitality Training offer the most effective staff training programs and all current and new staff will undergo their licensing training package.

In addition, we shall use packages supplied by the British Institute of Innkeeping (of which both the DPS and co-owner are Fellows)

All training records will be signed and dated and kept. These training records will be made available to any responsible authority upon request.

- LATE NIGHT DISPERSAL

We accept that there can be noise outside the premises as the pub closes. Therefore we have put the following procedures in place.

Additional “Please respect our neighbours” & “Please leave quietly” signs to be placed on the door at weekends.

Flyers with the same messages to be placed on the bar.

The DPS or co-owner to supervise dispersal at weekends.

All other recommendations in police letter ref 44080206070 to be used as guidelines.

Although we do not currently employ door staff, this is a measure that will be considered should we continue to experience problems.

In addition, although licensed until 1am (+30 minutes drinking up) we now close the bar at midnight to allow a more leisurely dispersal.

- AGE VERIFICATION POLICY

We shall continue to operate a Challenge 25 policy.

All challenges will be recorded in the incident book.

- TOILET CHECKS

These will continue on an hourly basis.

Any suspicious findings will be recorded in the incident book.

CCTV

All recommendations made by the police (as per ref 44080206070) shall be implemented.

*As at 3/7/13, There do seem be a few “glitches” in the system preventing recording of software onto CD or DVD. We are awaiting a visit from an engineer to rectify this.

- DRUGS POLICY

We shall continue to operate a zero tolerance to drugs on and off the premises. Surfaces that may be used for drug taking in our toilets will be sprayed with a WD40 (or similar) as a preventative measure.

- ADDITIONAL MEASURES

The DPS and Co-Owner are aware that the issues that have been experienced in and around the business are serious and must be addressed.

Accordingly we are attempting to re-position our business by:

- Re-introducing food. The business hasn't provided regular food for the best part of two years. We believe that as a “Bar & Grill” as opposed to being just a bar that we will attract a more varied and less troublesome clientele.
- In order to re-inforce the above we have completely redecorated inside and outside the premises as well as fitting new carpets, bric a brac etc.
- We have introduced 3 “Dividers” inside the pub in an attempt to provide separate drinking/dining areas. We believe these dividers create a less confrontational atmosphere.
- We are continuing to promote via local advertising and our continued involvement in local projects and clubs the food aspect of the business.

We aim to continue to work with the local police and neighbours to ensure that Butlers Bar & Grill is a responsible outlet that benefits the community.

Working Sheet

Hampshire Constabulary

Printed: 24/07/2013 15:59 by 18

Occurrence: **44080206070 Z Prem Licence (Management Occurrence)**

Author: #18 PLASCOTT, C.

Report time: 06/07/2013 02:36

Entered by: #18 PLASCOTT, C.

Entered time: 06/07/2013 02:36

Remarks: Evening visit to premises 05/07/13

05/07/13 Myself and Pc Conway visited the venue at 2359 hours. We arrived to see a number of persons outside smoking, they soon went inside on seeing us and David Butler, Premises Licence Holder appeared at the door. We went inside and had a wander round, there were several young persons inside, the atmosphere was generally good. We checked the garden and on coming back to the main entrance Pc Conway was almost knocked off her feet by a drunken male. I drew this male to the attention of Lynne Butler who was very abrupt and she turned to follow him out to the garden. I went with Lynne and we found him being sick in the back garden, Lynne became very agitated and was trying to push the male out telling him to go home, I questioned where he had been drinking and how much etc and Lynne tried to interrupt saying he'd only had a couple of drinks and been there for half an hour. Lynne just wanted him out realising that this looked bad on the premises given recent circumstances. She and her staff had clearly been serving him whilst he had already had too much and when finding him being sick she just wanted him to leave - she had no concern over how he would get home safely etc. On going back inside and walking through the bar we noticed a number of males lining the bar at the front all downing shots. This would have been some 10/15 minutes after last orders had been called. We waited outside after to assess the noise levels and dispersal, all was in order. The evidence of the male vomiting in the garden has been captured on the body worn video and has been saved.

PS 18

PROTECTIVE MARKING (when complete)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN: | | |

Statement of: Sharon Conway
Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Officer

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: Sharon Conway Date: 12/07/13

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Licensing Officer for Hampshire Constabulary, based at Southampton Central Police Station.

On Friday 5th July 2013, I was on duty in full uniform. I was with PS 18 Plascott. Just prior to midnight on 5th July going into Saturday 6th July 2013, we attended BUTLERS BAR AND GRILL, SHAFTESBURY ROAD, FORDINGBRIDGE. As we approached the premises, I saw a group of males just outside the doorway. The group were standing on the pavement; some of the males were smoking. I saw at least one person holding a pint glass containing what looked to be lager.

On driving past to park the car, I saw that the group went inside BUTLERS BAR AND GRILL. A male, who I now know to be premises licence holder John BUTLER, was stood at the front door. BUTLER greeted me and PS Plascott.

BUTLER advised PS Plascott 'WE'VE JUST CALLED LAST ORDERS. WE'VE TAKEN YOUR ADVICE AND ARE NOT FORCING ANYONE TO LEAVE. WE'LL ALLOW THEM TO GO.'

Myself and PS Plascott then went inside the premises. As I was walking through the bar, I heard 'time at the bar' being called. The premises was busy, with a number of groups standing at the bar as well as sitting at tables. The music was still playing, and I felt was loud considering last orders had been called, and not conducive to promoting the end of the evening.

PS Plascott spoke to a female behind the bar, who I now know to be the Designated Premises Supervisor (DPS) Lynda BUTLER. PS Plascott and I then walked through the bar area towards the garden. The door to the garden was open, with nothing to restrict people using the outside area. In the garden area, there were two females. These females were sat at a wooden bench, and were talking amongst each other. Lynda BUTLER informed the females that time had been called.

Signed: Sharon Conway Signature witnessed by:



HAMPSHIRE CONSTABULARY

PROTECTIVE MARKING (when complete)

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; MC Rules 1981, r.70)

Continuation of Statement of: **Sharon Conway**.....

I then made my way back through the bar area. As I walked past a group that were stood at the bar to my right, a male, aged in his late 40's, stepped backwards, bumping into me. The force of the bump was such that I had to step to the side in order to steady my path. Immediately in front of me was a female with crutches, who looked to be holding them out. I assumed that the male had moved in order to leave, and movement was hindered such that he required assistance.

As I looked back, I saw PS Plascott speak to Lynda BUTLER again. I went closer to be able to hear the conversation. I heard PS Plascott informed Lynda BUTLER that the male that had bumped into me was drunk, and had gone out to the back garden. I then followed PS Plascott back to the rear garden. I was a couple of seconds behind PS Plascott. As I went into the garden area, there was a strong smell of fresh vomit, which had not been present earlier. The male who had walked into me was stood leaning against the bottom of the railings of a stairwell. His forehead was leant against the railing, with the male looking down at the ground. The body language of the male was such that he was drunk and had just vomited.

The DPS, Lynda BUTLER, immediately went to the back gate, unlocked it and said to the male in a raised voice 'COME OUT, GET OUT', or words to that effect. The male was unsteady on his feet, and seemed slightly disorientated, and did not seem to fully comprehend what was being requested. Lynda BUTLER then walked back into the bar area, saying 'HE'S ONLY BEEN HERE FOR ABOUT HALF AN HOUR TO AN HOUR.'

PS Plascott tried to engage the male in conversation, asking questions 'HOW MUCH HAVE YOU HAD TO DRINK TONIGHT?', 'WHERE HAVE YOU BEEN DRINKING TONIGHT?', 'HOW LONG HAVE YOU BEEN HERE?' and questions to that effect.

The male had difficulty in answering these questions, his replies contradicting other replies. His eyes were glazed and he was swaying when he was stood away from any support. The male was also unable to walk steadily. The male was drunk. After a few minutes, the male was allowed to go back into the bar in order to find his friend. The male then left the premises. At this point, it was clear that the male was not in need of crutches as I had earlier thought.

I then headed back into the bar and towards the front door. The number of customers by this time was lower, although there were still some small groups. As I approached the front door, I saw a group of about 6 to 8 males, aged in their early twenties. This group caught my attention as they all had shot glasses which were full, and the shots were drunk as I walked past. I was about 1-2 metres away from the group as I walked past.

Myself and PS Plascott then made our way back to our car. _____

Signed :

Sharon Conway

Signature witnessed by : _____



PROTECTIVE MARKING – For Police and Prosecution Only

Witness contact details

URN: | | |

Home Address: Southampton Central Police Stn.

Post Code :

Home Telephone No:

Work Telephone No:

Mobile / Pager No:

Email address:

Preferred means of contact (specify details):

Best time of contact (specify details):

Gender:

Date and Place of Birth:

Former name:

Ethnicity
Code:

Religion /
Belief:

DATES OF WITNESS NON-AVAILABILITY:

Witness Care

- a) Is the witness willing and likely to attend court?
If 'No', include reason(s) on form MG6. Yes No
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or
intimidated witness? If 'Yes' submit MG2 with file. Yes No
- d) Does the witness have any particular needs? Yes No
If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to the police - what happens
next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter
(obtained in accordance with local practice): Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the
defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings if
applicable e.g. child care proceedings, CICA: Yes No N/A
- g) The information recorded above will be disclosed to the Witness Service so that they can
offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: _____

PRINT NAME

Signature of parent / guardian
appropriate adult: _____

PRINT NAME

Address and telephone
number if different from above: _____

Statement taken by: PC 22237 CONWAY

Station: SC

Time and place statement
taken:



Crime Ref. No. []

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A (3) (a) and 5B; Criminal Procedure Rules 2005, Rule 27.1)

URN []

Statement of []

Age if Under 18: Over 18 (If over 18 insert over 18) Occupation: []

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: [] Date: 5/7/13

(Tick if witness evidence is visually recorded (supply witness details on rear))

I am the above named person.
On Saturday, 8th June 2013 at around 00.30 hours, I heard sudden shouting and swearing which woke me up. I then saw a group of males and females spill out from Butlers Bar and Grill, Farningbridge. They were fighting with each other, it was hard to see exactly who was throwing punches as the group was so large. There were around 10-12 people involved. I heard a male shout "I'M GOING TO FUCKING KILL YOU" and a female then screamed "STOP IT, STOP IT." I could see one male leaning against the wall of the shops adjacent to Jacksons Solicitors with a female next to him. I then heard a male voice shout "COME ON YOU CUNT" but did not see where that male was situated. I moved away from where I had been stood, as I did not want to become involved in the situation. The shouting continued, as did the vulgar swearing and threatening language, for around 10-15 minutes and I was concerned for the safety of the individuals involved. I telephoned the police to inform them of the situation. Throughout the

Signature: [] Signature Witnessed By: []

Crime No. URN

Continuation statement of

evening leading up to the incident, there had been loud shouting and screaming from within the rear 'garden' area of the pub, which does encroach on local residents' hugely, because the area is so residential but the noise and other issues from Butlers do not seem to be controlled. There are several other pubs within metres of Butlers but they do not cause residents any problems.

Incidents such as this are cause myself and my family great anxiety and distress as it is frightening and worrying for both adults and children to witness this type of behaviour. It is unacceptable no matter what time of the day or night it is.

Following that incident, on Sunday, 9th June 2013 at around 0030 hours there was a further fight in the street outside Butlers, this was a group of around 5-6 people and I heard a male shout "YOU WANT, THAT'S ALL I NEED." followed by "COME ON THEN YOU FAGGOT." And a female shouting "STOP IT, GET OFF HIM." This lasted for around 10 minutes before it appeared to move down the street and out of earshot for me. Again, this woke myself and my family up and caused a great deal of distress and upset.

At 1905 hours on Friday, 14th June 2013 I was walking past Butlers and there were 3 young males talking outside the front doors. 2 males were seated on mountain bikes and one male was smoking a cigarette and holding a half full pint glass. He was around

Signature

Signature witnessed by

09/2011

Crime No. Continuation statement of URN

22-24 years old, White skinned, stocky build, 5'8" tall, short dark brown hair with gel in it, a rosy complexion and wore a blue T-shirt, dark colored jeans and black Nike trainers. I heard a male on a bike say "So after last week don't you reckon they'll be back then?" the male in the blue T-shirt replied "NO, DON'T IT." the male on the bike replied "DON'T YOU RECKON HE'LL BRING ALL HIS MATES OVER?" This obviously concerned me as the thought of yet more swearing and fighting in the area was upsetting and I felt unable to relax all evening.

On Friday, 28th June 2013 at 2335 hours I was aware of loud shouting and swearing coming from the rear area of Butlers. I heard a female shout 'Fuck' and a male voice conversing, the language peppered with the words 'CHAT' and 'Fuck'. I had relatives staying with me who had to endure this and it kept them awake.

On Saturday, 29th June 2013 at around 2300 hours I was again aware of loud swearing and general drunken conversation from within Butlers 'garden' area. This again kept myself and my family awake. I was then aware of male voices outside the front area of Butlers at around 0015 - 0045 hours with no consideration for their surroundings and local residents.

On the evening of Thursday, 4th July 2013 I was aware of shouting and swearing from the rear area of Butlers until around 2200 hours.

Signature

Signature witnessed by

09/2011

Crime No. []

URN []

Continuation statement of []

I do not wish to spoil anybody's fun and have no objections to the pub itself, however as a local resident, I will not tolerate unacceptable behaviour or swearing and inappropriate levels of noise from this location. The local area is made ^{up} of many types of residents; families, elderly people, vulnerable people and this problem needs to be addressed and dealt with as a matter of priority. I hope the local policing team will be able to work with the land lord of the pub to resolve the issues we face as a community and I will support that action in any way I can as a local resident.

Signature []

Signature witnessed by []



RESTRICTED (when complete)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of: URN:

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Age if under 18: Over 18 (if over 18 Insert over 18) Occupation: UK Sales

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

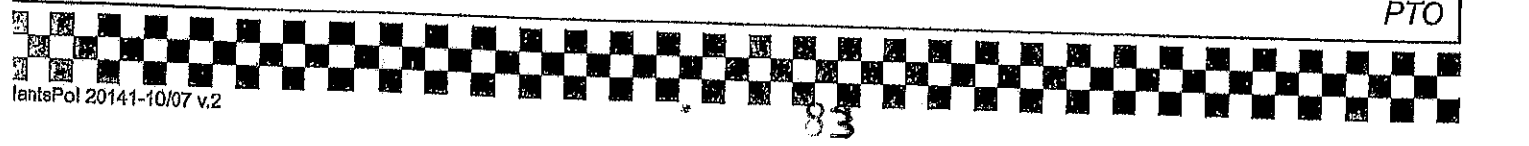
Signature: Date: 30/06/13

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and I live at the address shown overleaf. I am making this statement in relation to a fight which took place approximately 3 weeks ago on a Saturday into Sunday morning at the junction of High Street with Provost Street in Fordingbridge in Hampshire. I believe the date of the incident was 8th June 2013 when I called the police during the early hours of the morning. On ^{the} Saturday before midnight during the evening and at approximately 2330 hours my partner and I returned to Fordingbridge in our car. At that time I saw about a half a dozen of people outside Butcher's Public House. I saw these people were going towards the car park of the Chipmunk opposite and coming back onto the street. They were

Signature: Signature witnessed by: _____

PTO






RESTRICTED (when complete)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

URN:

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Continuation of Statement of: 

quite noisy and that is why I kept my attention on this crowd during the night as I could not see hear them from where we were. Unfortunately the number of people increased over the next hour or so and the noise on the street increased. It was approximately 00:30 in the morning and there was so much noise that in the silence of the night it was quite disturbing. I therefore called the police. At the time there were a dozen to 2 dozen of people on the street. After I spoke to the police the crowd became even more boisterous and it turned from drunken behaviour to people pulling and pushing each other, shouting abuse each other, and running around on the street. I started watching and then I saw someone on the floor getting kicked, people throwing punches at each other, etc. I immediately called the police again and this was only I believe about a 3 minutes after my first call. The fight carried on for about another 5 minutes and then the group started dispersing. A large group walked

Signature: 

Signature witnessed by:



RESTRICTED (when complete)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Continuation of Statement of: [redacted]

URN: [redacted]

towards the High Street and a male with blood on him walked towards the bridge where Provost Street becomes Church Street. I did not recognize any of the persons involved as it was a long distance from where I was in the darkness of the night to recognize anyone - Couple of weeks after the first incident on 21st June Friday, or 22nd June Saturday at approximately 2230 hours in the evening there was a group of people outside BUTLERS Public House and they were really loud and boisterous. They kept wandering up and down on High/Provost Street, and in and out of the car park opposite BUTLERS public house. This carried on until 0030 hours in the morning. I live with my wife and

During this second incident I did not recognize any of the persons again. My family and I are disturbed by the noise and the problems which are clearly linked to the licensed premises nearby. These incidents become

Signature: [redacted]

Signature witnessed by: [redacted]





RESTRICTED (when complete)

WITNESS STATEMENT

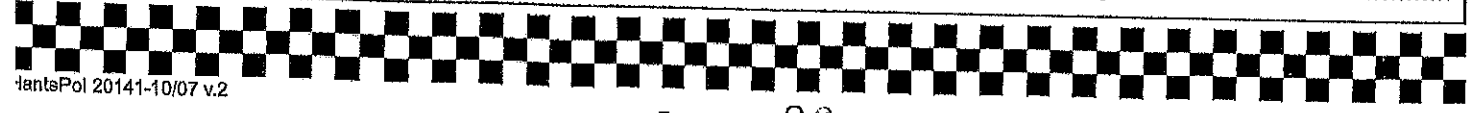
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Continuation of Statement of: [REDACTED] URN: [REDACTED]

*more often during the summer months.
I am happy to assist the authorities if
required*

[REDACTED]

Signature: Signature witnessed by:



WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: PC 20730 DENIZ	URN <input type="text"/>
Age if under 18: Over 18 (if over 18 insert 'over 18')	Occupation: Police Officer
<p>This statement (consisting of _____ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.</p> <p>Signature:..... (witness) Date: 23/07/2013</p> <p>PC 20730 DENIZ</p>	

I am PC 20730 DENIZ of the Hampshire Constabulary and I am currently based at Fordingbridge Police Station working as part of the local Safer Neighbourhoods Team. I have been the local Safer Neighbourhoods Team Officer in Fordingbridge since October 2010, mainly responsible for Fordingbridge Town Centre. I am making this statement in relation to Butlers Bar & Grill Public House, which is located on High Street in Fordingbridge.

Records of Hampshire Constabulary show a number of complaints regarding the noise and anti-social behaviour linked to Butlers Bar & Grill over the years. In my statement I will cover my recent dealing with Butlers Bar & Grill and the landlady of this establishment, namely Lynn BUTLER.

At approximately 23rd February 2013 at 2320 hours I was on duty in full uniform on High Street, Fordingbridge, while I was in company of PS 24209 TOWLER, who is my first line manager. At the time I saw a male, namely _____, outside Butlers Public House having an argument with someone and swearing. There was a lot of loud voices and swearing. _____ had an injury to his mouth. When I approached and spoke to him he disclosed to me that he was punched inside Butlers Bar & Grill by another male, who later was identified as _____, and whose details are recorded in my pocket notebook. When I was dealing with this incident outside Butler Bar & Grill there was no member of staff from the pub to deal with it. Our records shown no call made by anyone, including any staff members from Butler Bar & Grill, regarding this incident. As a result of the information which was disclosed by _____ I believed that the incident took place in very good view of the CCTV cameras inside Butlers Bar & Grill. I therefore attended to speak to Lynn BUTLER of Butlers Bar & Grill regarding the incident on 24th February 2013. Lynn BUTLER confirmed to me that there was CCTV in the pub. However, BUTLER did not know how to use the CCTV system and she was unable to give me a copy of the footage. There was no employee of Butlers Bar & Grill, either on or off duty at the time, who could assist with providing a copy of the footage. I was unable to view the footage either. I am happy to give evidence to the effect that in the past on a number of occasions I had spoken to BUTLER regarding the CCTV in this establishment and how efficient use of it could help her with her licensing objectives. I had made requests for CCTV footage previously and Lynn BUTLER had told me on more than one occasion that she would learn how to use the system and that she would provide the footage to me. On this occasion, and as before, Lynn BUTLER told me that she would speak to her technician and

Signed: _____ Signature witnessed by: _____

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Continuation of Statement of: PC 20730 DENIZ

get the footage ready for me. To this date, she did not provide the footage. My inquiries later lead to [redacted] receiving a Police Caution, having admitted his involvement in this incident fully.

During the weekend of 8th and 9th Saturday and Sunday June 2013 while I was on R/Ds, I received a voice message from Lynn BUTLER of Butlers Bar & Grill BUTLER on a police issue mobile phone. BUTLER requested a call back from me and the content of the message suggested that there was an issue with Hampshire Police Officers during that weekend. On my return to duty on Monday the 10th June 2013, I attended Butlers Bar & Grill and I spoke to Lynn BUTLER asking what the issue was and how I could assist. I was also aware that there was the report of a large fight on Provost Street in Fordingbridge during the weekend, the nearest pub being Butlers Bar & Grill. When I spoke to Lynn BUTLER, she informed me that 2 male officers arrived at Butler's after midnight during the early hours of Saturday the 8th June 2013. I noted that this was when the above mentioned large fight was reported to the police. BUTLER then continued to tell me that these officers came in said 'YOU HAVE GOT A PROBLEM!' I then enquired what else happened and BUTLER was not clear enough to tell me more and to explain what had happened. As it appeared to me that BUTLER was complaining about the police officers, I explained to her the reason why the officers were there. I then inquired if the officers offended her in any way. BUTLER, again, was not clear answering my question, but she stated that she had told the officers 'WHAT PROBLEM, CAN YOU SEE ANY PROBLEM?' I then decided to disclose to her that I was aware of the report of a fight outside on Provost Street and my belief that the officers were there for that reason. BUTLER then told me that there was no fight inside the pub, and carried on repeating to me that he had also said to the officers at the time 'WHAT PROBLEM, CAN YOU SEE ANY PROBLEM?' At the time I spoke to Lynn BUTLER, her ex-husband John BUTLER was also present. I am aware that both Mr. & Mrs. BUTLER are premises license holders. Although I enquired about it neither of Mr. & Mrs. BUTLER told me about the incident. On the contrary, I remember Lynn BUTLER stating that they were not aware of a fight or any other incident.

I then carried out my own inquiries regarding this incident and the information I have is as follows;

[redacted] was in the pub quite drunk. [redacted] was in the pub with her husband [redacted] her sister [redacted] and [redacted]. There were a few people dancing on the floor. [redacted] kept bumping into people, in particular into [redacted].

[redacted] was told by a number of people, including [redacted] to stop bumping into people. [redacted] was very very drunk and he did not know what he was doing. [redacted] swung for [redacted] and [redacted] responded. Both parties were taken out from the pub [redacted] and [redacted] and a few others who have their allegiance with these two persons were involved in a fight. This information is reliable and much of it is first hand information given to me directly. Unfortunately there are no complaints/injuries and nothing to support prosecution even though it would be in public interest to prosecute. I will be happy to provide evidence of what I was told.

I am aware that later on during a licensing visit when I was also present, and when sufficient information regarding the police's knowledge of the incident was disclosed to Lynn BUTLER, she acknowledged that the incident was caused by [redacted] and volunteered to ban [redacted] from her pub.

Signed: _____

Signature witnessed by: _____

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Continuation of Statement of: PC 20730 DENIZ

On Friday the 28th June 2013 I was on duty and in full uniform. At approximately 2330 hours I attended Butlers Bar & Grill in company of PS 24209 TOWLER. PS TOWLER was talking to Lynn BUTLER at the far end of the pub by the bar next to the male toilets. I was 4 or 5 feet away from BUTLER and TOWLER. A male known to me a [redacted] was by the bar and drinking what appeared to be lager from a pint glass which was half full. [redacted] approached me as he was walking towards the male toilets and said to me something similar to 'YOU FUCKING HAVEN'T DONE ANYTHING WITH THE BURGLAR' [redacted] appeared to me heavily under the influence of alcohol. His speech was slurred and it was difficult for me to understand. He came very close to me invading my personal space and I could get strong smell of alcohol in his breath. When this male was talking to me he used the word 'FUCKING' a few times. I therefore had the need to inform Lynn BUTLER, who at the time was talking to PS TOWLER a few feet away. I informed BUTLER that [redacted] in my opinion, was drunk as he was swearing frequently while he was talking to me in an abusive manner. I requested from BUTLER not to serve [redacted] after he had finished the alcohol in his glass. BUTLER told me that she had not witnessed the incident and she could not act on hearsay. However, BUTLER informed me that [redacted] would not be served any more alcohol. PS TOWLER and I had then left the Butlers Bar & Grill.

Very shortly after this incident at approximately 0015 hours during the early hours of Saturday the 29th June 2013, I was driving past Butlers Bar & Grill in a marked police van driven by me with PS TOWLER also present in the van. At this time, there were a group of half a dozen of people standing outside Butlers Bar & Grill and someone from this group shouted towards us. The noise is a problem for residents living near Butlers Bar & Grill. I have advised residents in the last 3 years about the inevitability of a certain level of noise from licensed premises. However, shouting in this manner for no obvious reason can only be attributed to consumption of alcohol and it is perceived as anti-social behaviour. As a result of the shouting towards us PS TOWLER suggested we would speak to the persons outside Butlers Bar & Grill. Once outside Butlers Bar & Grill where these persons were standing, PS TOWLER started talking to them. They all appeared under the influence of alcohol and I saw at least 3 of these males inside Butlers Bar & Grill approximately 45 minutes earlier when we were inside the pub. I noted that they were all late teens or early 20s. PS TOWLER went into the pub and came back out with Lynn BUTLER while I was talking to the youth. In the meantime, from where I was standing by the front door of Butlers Bar & Grill, I could see into the pub and the far end of the bar at the rear end of the pub. I noticed [redacted] the same male about whom I earlier had advised Lynn BUTLER not to serve alcohol, drinking from a pint glass which was three quarters full. The pub at the time was not as crowded as it was 45 minutes. I have no doubt in mind whatsoever that [redacted] was in the pub and continuing to drink alcohol. When BUTLER came out together with PS TOWLER, she immediately sided with the youth and I could hear her saying 'NO THEY ARE NOT MAKING NOISE' PS TOWLER was telling BUTLER that they shouted at us for no reason etc. It was obvious to me that the youth in question were encouraged by Lynn BUTLER's support for them. Lynn BUTLER then told me something to the effect that 'THE YOUTH WERE NO TROUBLE, THEY WERE ALL NICE KIDS, AND SGT. TOWLER WAS EXAGGERATING' I can not remember the exact words. By this time, I noticed that BUTLER's behaviour was completely different to what it was 45 minutes earlier. I became quite convinced that she was under the influence of alcohol. I then pointed out to BUTLER that the youth were encouraged by her behaviour and we would appreciate if she tried to help us rather than supporting them. It was pointed out to BUTLER both by me, and PS TOWLER, that if the youth were not

Signed: _____

Signature witnessed by: _____

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Continuation of Statement of: PC 20730 DENIZ

drinking and they were finished in the pub, and they were making noise outside her premises, then it would be best that they left and head towards home. I then also pointed out to Lynn BUTLER, [REDACTED] who was drinking from a three quarters full pint glass. BUTLER then beckoned at me with her finger indicating that she wanted me to go around the corner. I followed her and BUTLER started talking to me 'JOSH, HONESTLY, PEOPLE USED TO LIKE YOU. ALL OF A SUDDEN IN THE LAST COUPLE OF WEEKS THERE ARE TOO MANY PEOPLE PISSED OFF WITH YOU.' I tried to speak to BUTLER but she was not listening to me. I asked her to clarify what she meant and why people were 'PISSED OFF' with me. I could now see, and hear in her speech which was slurred, that she was clearly under the influence of alcohol. She kept on telling me that I was a different person to who I was and to be careful and watch my self. I therefore said to her 'ARE YOU THREATENING ME?' During my conversation with PS TOWLER had arrived and he witnessed some of our conversation. I informed BUTLER about [REDACTED] continuing to drink alcohol in the pub once again and BUTLER replied 'NO HE HASN'T BEEN SERVED' I am can confirm that the pint glass [REDACTED] was drinking from was 3 quarters' full at the time, and it contained either lager or cider based on the colour of its content which was yellow. I believe PS BUTLER informed Lynn BUTLER that it was best we spoke again when she felt better. BUTLER's behaviour was far from being cooperative with us and she was very very agitated.

Following day on Sunday the 30th June 2013 at approximately 0030 hours I was on duty on my own in full uniform in a marked police van parked outside Fordingbridge Kebab House. I had seen a group of people leave Butlers Bar & Grill. I then saw Lynn BUTLER who came out of the pub and walked straight to me. I wound my window down. BUTLER then said to me words similar to 'I HAVE ONLY ABOUT A DOZEN OF PEOPLE IN THE PUB AND THEY ARE ALL 30 YEARS OLD OR OVER, DO YOU WANT ME TO TAKE THEM OUT NOW?' I told BUTLER that I was not aware of any problems at the time and they could stay as long as her licence allowed them to. When Lynn BUTLER was talking to me I could clearly see that she appeared under the influence of alcohol because her speech was slurred.

Signed: _____

Signature witnessed by: _____

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Statement of: PS PAUL TOWLER		URN <input type="text"/>
Age if under 18: Over 18 (if over 18 insert 'over 18')	Occupation: Sergeant 24209	
<p>This statement (consisting of _____ page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.</p> <p>Signature:..... (witness) Date: 28/07/2013</p> <p>PS PAUL TOWLER</p>		

I am a serving police officer with Hampshire Constabulary, currently working in the New Forest as a Safer Neighbourhood Sergeant. I have been working on the Rural North Safer Neighbourhood Team since January 2013.

This statement will provide some of my personal dealings with a licensed premise called Butlers Bar & Grill in Fordingbridge, Hampshire. During all of the incidents I will be covering, I was on duty & in full uniform.

On the 18th May 2013 I was with Police Community Support Officer Daisy TOWERS 15444, driving a marked police van. I was dealing with another matter when I drove past Butlers Bar. Whilst passing the premises at 0015hrs, several drunken youths were outside on the pavement. One of them banged on the police van as we drove past. I stopped & on speaking to them, two of the youths were very drunk & abusive. One of them did not look older than sixteen. I had noticed prior to that incident that all throughout the previous evening, youths were standing outside the Bar, appearing drunk & walking into the road.

On Friday 28th June 2013 I attended the Bar with Police Constable Josh DENIZ at 2330hrs. The premises had about forty persons inside. Many were very clearly heavily drunk. I spoke to the Designated Premises Supervisor, Mrs Lynne BUTLER. Whilst doing so, I could see PC DENIZ speaking to a very drunk male at the counter near the toilets. PC DENIZ asked Mrs BUTLER not to serve this man any more drink & to ask him to go home. I noticed that his pint of larger was half full when we left & he was continually drinking from it.

A while later, at 0015hrs on Saturday 29th June, we were driving past the Bar & I saw a group of about eight male youths & one female youth stood directly outside Butlers Bar, on the pavement. One male voice shouted out as we drove past. I couldn't make out what was being shouted. I was still with PC DENIZ & we returned a minute later & entered the Bar. As we did so, this group made comments about 'old bill' & 'shut up'. I asked Mrs BUTLER to take ownership of this group (as we had discussed at a previous meeting about my concerns regarding anti social, violent & drunken behaviour by persons using her premises). She came outside but instead of being pro-active & supportive about moving this group on (again, as discussed at the previous meeting and which was my expectation), she claimed immediately that they were not from her Bar. I recognised at least three of the group as drinking in Butlers from my earlier visit that evening. I pointed this out to her. She then

Signed: _____

Signature witnessed by: _____

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

Continuation of Statement of: PS PAUL TOWLER

became argumentative with me, claiming that they were only smoking & were fine. I tried to explain to the group that they were drunk & being noisy & to move along or go home. They were argumentative with me which was not surprising as Mrs BUTLER was supporting them & their behaviour.

PC DENIZ informed me that he had also spotted the drunk male from earlier whom he had asked Mrs BUTLER not to serve again, still at the bar inside with a pint of lager which was now three quarters full. This was pointed out to Mrs BUTLER who claimed that it was still the same pint as we saw him with earlier. She then asked PC DENIZ to one side where she started to loudly tell him he was annoying people in the Town with his actions over the last few months. I was left to try & disperse the group myself. I joined PC DENIZ & Mrs BUTLER. PC DENIZ was calm but Mrs BUTLER was raising her voice. I told her that her conversation would be annoying to neighbours & to lower her voice. Whilst speaking to her, I noticed that her breath smelt strongly of alcohol & she had glazed eyes. She had been drinking & her behaviour I believed was impaired because of this.

Since I have been working on the Neighbourhood Team, on several other occasions I have either driven or walked past Butlers Bar & Grill & been concerned at the level & numbers of very drunk persons standing outside the Bar. Many of them wander into the Road & cars have to stop to avoid hitting them. Often I have had to warn them that their behaviour is noisy & to be quiet. I have never seen anyone from Butlers Bar & Grill try to move these persons away. I have however, seen Mrs BUTLER simply look outside at the disturbances & close her doors.

Signed: _____

Signature witnessed by: _____

((3))

Mr J C Butler & Mrs L Butler
Butlers Bar And Grill
1 Shaftesbury Street
Fordingbridge
Hampshire
SP6 1JF

Our Ref: PW/LICPR/05/00584
Your Ref:

20 March 2012

Dear Mr Butler & Mrs Butler

LICENSING ACT 2003 - Variation Premises Supervisor (S37)
BUTLERS BAR AND GRILL, 1 SHAFTESBURY STREET, FORDINGBRIDGE, HAMPSHIRE,
SP6 1JF
Licence No: 542/2

I am pleased to enclose a Premises Licence in respect of the application for the above premises. Please check the details on the licence carefully. The Licensing Authority is prepared to correct clerical errors for up to 28 days after the licence has been issued. Beyond that time, any change must be made on the appropriate application form. This does not affect your statutory rights of appeal.

It is a requirement of the Act that this licence, or a certified copy, is held securely at the premises and, at the request of an authorised person, to produce the licence (or a certified copy) for examination. Please ensure that you are able to comply.

Also enclosed is a Summary of the Premises Licence which must be displayed (or a certified copy) in a prominent position at the premises.

Failure to comply with either or both of these requirements is an offence which, on summary conviction, carries a penalty of a fine not exceeding level 2 on the standard scale.

Should you wish to make changes to the licence in the future this must be done by way of an appropriate application. The necessary forms are available on the Council website www.newforest.gov.uk.

Yours sincerely,

Paul Weston

Licensing Officer
Licensing Services

Tel: 023 8028 5505
Fax: 023 8028 5544
Email: licensing@nfdc.gov.uk

c.c Chief of Police

Licensing Act 2003

Premises Licence

Issued under Section 24 of the above Act

Premises Licence Number	542/2
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Part 1 - Premises Details

Postal address of premises, or if none, ordinance survey map reference or description	
Butlers Bar And Grill 1 Shaftesbury Street Fordingbridge Hampshire SP6 1JF	Map Ref (E): 414655.270023363 Map Ref (N): 114137.199314504 UPRN: 100060472600
Telephone Number: 01425 652099	

Where the licence is time limited the dates
This licence is NOT time limited

Licensable activities authorised by the licence
E) Performance of Live Music F) Recorded Music H) Entertainment of a similar description to that falling within (e), (f) or (g) I) Provision Of Facilities For Making Music K) Provision Of Facilities for Entertainment of a similar description to that falling within (I) or (J) M) Supply of Alcohol

The times the licence authorises the carrying out of licensable activities			
Live Music		Performance of live music may take place:	Indoors <input checked="" type="checkbox"/> Y Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Further details:
Mon	12:00	23:00	Live amplified music once a week. Times to allow flexibility
Tue	12:00	23:00	No children shall be permitted to enter the premises when events involving live music are taking place. On other days, when live music is not taking place children will only be permitted on the premises when accompanied by a supervising adult, and in any event not beyond 22:00hrs
Wed	12:00	23:00	Seasonal variations:
Thur	12:00	23:00	
Fri	12:00	23:00	
Sat	12:00	23:00	Non standard timings:
Sun	12:00	23:00	

Recorded Music	Playing of recorded music may take place:	Indoors <input checked="" type="checkbox"/> Y Outdoors <input type="checkbox"/>
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				Both	
Day	Start	Finish	Further details:		
Mon	08:00	00:00	The nature of the recorded music shall be limited to a Juke Box		
Tue	08:00	00:00			
Wed	08:00	00:00	The music volume from the jukebox will be turned down at 23:00hrs to such a level so as not to cause noise nuisance to the occupants of any noise sensitive premises.		
Thur	08:00	01:00			
			Seasonal variations:		
Fri	08:00	01:00			
			Non standard timings:		
Sat	08:00	01:00			
Sun	08:00	00:00			

Anything of a similar description to that falling within (e), (f) or (g)			Type of entertainment you will be providing: Compere for functions, quizzes etc including pub games with an audience		
Day	Start	Finish	This entertainment may take place:	Indoor	Y
Mon	12:00	23:00		Outdoor	
				Both	
Tues	12:00	23:00	Further details:		
			Variety of entertainment once/twice a week to attract clientele		
Wed	12:00	23:00			
Thurs	12:00	23:00	Seasonal variations:		
Fri	12:00	23:00			
Sat	12:00	23:00	Non standard timings:		
Sun	12:00	23:00			

Facilities for making Music	Description of the facilities for making music you will be providing: Area near female wc's to be made available. Only electricity supplied			
	This entertainment will take place:	Indoor	Y	

Day	Start	Finish		Outdoor	
Mon	12:00	23:00	Further details:	Both	
			Entertainment to be provided once a week. Variety of days to allow complete flexibility.		
Tue	12:00	23:00			
Wed	12:00	23:00	Seasonal variations:		
Thur	12:00	23:00			
Fri	12:00	23:00	Non standard timings:		
Sat	12:00	23:00			
Sun	12:00	23:00			

Entertainment of a similar description to that falling within (i) or (j)			Description of the type of entertainment you will be providing: Compere for functions, quizzes etc including pub games with an audience. Small amplifier will be provided		
Day	Start	Finish	This entertainment facility may take place:	Indoor	Y
Mon	12:00	23:00		Outdoor	
				Both	
Tue	12:00	23:00	Further details:		
Wed	12:00	23:00			
Thu	12:00	23:00	Seasonal variations:		
Fri	12:00	23:00			
Sat	12:00	23:00	Non standard timings:		
Sun	12:00	23:00			

Supply of Alcohol			
Day	Start	Finish	Seasonal variations:
Mon	08:00	00:00	On New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are
Tue	08:00	00:00	no permitted hours on the following day, midnight on 31

			December).
Wed	08:00	00:00	
			The beer garden will be closed and clear of patrons by
Thur	08:00	01:00	23:00hrs. The garden gates will be locked at 20:00hrs
Fri	08:00	01:00	Non standard timings:
Sat	08:00	01:00	
Sun	08:00	00:00	

The opening hours of the premises

Opening Hours

Day	Start	Finish	Seasonal variations:
Mon	08:00	00:30	On New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or if there are
			no permitted hours on the following day, midnight on 31
Tue	08:00	00:30	December)
Wed	08:00	00:30	
Thur	08:00	01:30	
			Non standard timings:
Fri	08:00	01:30	
Sat	08:00	01:30	
Sun	08:00	00:30	

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:
Alcohol is supplied for consumption both ON and OFF the premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

John Charles Butler Butler's Bar & Grill 1 Shaftesbury Street Fordingbridge Hampshire SP6 1JF	Telephone: 01425 652099 Email: .
Lynda Butler Butler's Bar & Grill 1 Shaftesbury Street Fordingbridge Hampshire SP6 1JF	Telephone: 01425 652099 Email:

Registered number of holder, for example company number, charity number (where applicable)

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

Lynda Butler

ter's Bar & Grill
1 Shaftesbury Street
Fordingbridge
Hampshire
SP6 1JF

Telephone: 01425 652099

Email:

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

523

New Forest District Council

The licence is granted by New Forest District Council, as licensing authority pursuant to the Licensing Act 2003 and regulations made thereunder.

Date licence issued: 20/03/2012

Date licence commences: 20/03/2012

Date first licence came into force: 24/11/2005



Head of Public Health & Community Safety
(Authorised Officer)

Annex 1 - Mandatory conditions

Where licence authorises supply of alcohol:

- (1) No supply of alcohol may be made under the premises licence:
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- (2) Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Where licence authorises door supervision:

- (1) Each individual at the premises to carry out a security activity must be licensed by the Security Industry Authority.
- (2) But nothing in subsection (1) requires this condition to be imposed:
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to-
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

For the purposes of this section:

- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

(Additional Conditions with effect from 6 April 2010)

1. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

(Additional Condition with effect from 1 October 2010)

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

The responsible person shall ensure that-

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-

- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the operating schedule

Q) Proposals by the applicant in order to promote the four licensing objectives:

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

b) The prevention of crime and disorder

- Experienced Designated Premises Supervisor
- Drinks consumed on premises outside in designated beer garden (closes at 23:00)
- Records kept re incidents

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 there are residents in the area

e) The protection of children from harm

- Gaming machines in sight of bar area
- Family dining area
- Children only allowed onto premises on Fridays and Saturdays if accompanied by a supervising adult up to 22:00 hours on days when no live music entertainment is provided
- Plenty of non-alcoholic drinks

**Schedule of Conditions attached to a Part A Premises Licence
Embedded Restrictions transferred from the Licensing Act 1964**

ON LICENCE

The licensee may also provide and permit:

- a) Entertainment by way of music and singing but only by the reproduction of recorded sound

(this does not permit the use of Karaoke, Disc Jockeys, Comperes etc.)

- b) The consumption of late night refreshment for a period of 30 minutes after the permitted hours.

Permitted Hours

Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

- g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

Restrictions

The above restrictions do not prohibit:

- a) During the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- b) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- c) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals;
- d) Consumption of the alcohol on the premises or the taking of sale or supply of alcohol to any person residing in the licensed premises;
- e) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- f) The sale of alcohol to a trader or club for the purposes of the trade or club;
- g) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- h) The taking of alcohol from the premises by a person residing there; or
- i) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
- j) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

Annex 3 - Conditions attached after a hearing by the licensing authority

General condition:

1. Notices shall be displayed in prominent positions within and outside the premises requiring patrons to leave quietly and respect local residents.
2. No children shall be permitted to enter the premises when events involving live music are taking place. On other days, when live music is not taking place, children will only be permitted on the

premises when accompanied by a supervising adults and in any event not beyond 22:00hrs.

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

* For the purposes of condition 3 above, noise sensitive premises shall include premises used for residential purposes, hospitals or similar institutions, educational establishments (when in use), places of worship (during recognised times and days of worship) and any other premises used for any other purposes likely to be affected by the music noise.

4. The beer garden will be closed and clear of patrols by 23:00hrs. The garden gates will be locked at 20:00hrs.

Annex 4 - Plans

This licence permits the licensable activities stated at the premises addressed above in accordance with the plan(s) attached.

Plan of Premises	
Plan/Drawing No:	
Date of Plan:	15/08/2005

((n))

Licensing Act 2003

Premises Licence Summary

Issued under Section 24 of the above Act

Premises Licence Number	542/2
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Part 1 - Premises Details

Postal address of premises, or if none, ordinance survey map reference or description	
Butlers Bar And Grill 1 Shaftesbury Street Fordingbridge Hampshire SP6 1JF	Map Ref (E): 414655.270023363 Map Ref (N): 114137.199314504 UPRN: 100060472600
Telephone Number: 01425 652099	

Where the licence is time limited the dates
This licence is NOT time limited

Licensable activities authorised by the licence
E) Performance of Live Music F) Recorded Music H) Entertainment of a similar description to that falling within (e), (f) or (g) I) Provision Of Facilities For Making Music K) Provision Of Facilities for Entertainment of a similar description to that falling within (I) or (J) M) Supply of Alcohol

The times the licence authorises the carrying out of licensable activities				
Live Music		Performance of live music may take place:	Indoors	Y
			Outdoors	
			Both	
Day	Start	Finish	Further details:	
Mon	12:00	23:00	Live amplified music once a week. Times to allow flexibility	
Tue	12:00	23:00	No children shall be permitted to enter the premises when events involving live music are taking place. On other days, when live music is not taking place children will only be permitted on the premises when accompanied by a supervising adult, and in any event not beyond 22:00hrs	
Wed	12:00	23:00		
Thur	12:00	23:00		
Fri	12:00	23:00	Seasonal variations:	
Sat	12:00	23:00		
Sun	12:00	23:00	Non standard timings:	

Recorded Music	Playing of recorded music may take place:	Indoors	Y
		Outdoors	

			December).
Wed	08:00	00:00	
Thur	08:00	01:00	The beer garden will be closed and clear of patrons by 23:00hrs. The garden gates will be locked at 20:00hrs
Fri	08:00	01:00	Non standard timings:
Sat	08:00	01:00	
Sun	08:00	00:00	

The opening hours of the premises			
Opening Hours			
Day	Start	Finish	Seasonal variations:
Mon	08:00	00:30	On New Years Eve from the end of permitted hours to the start of permitted hours on the following day (or if there are no permitted hours on the following day, midnight on 31 December)
Tue	08:00	00:30	
Wed	08:00	00:30	
Thur	08:00	01:30	
Fri	08:00	01:30	Non standard timings:
Sat	08:00	01:30	
Sun	08:00	00:30	

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:
 Alcohol is supplied for consumption both ON and OFF the premises

Name, (registered) address of holder of premises licence
 John Charles Butler
 Butler's Bar & Grill
 1 Shaftesbury Street
 Fordingbridge
 Hampshire
 SP6 1JF

Lynda Butler
 Butler's Bar & Grill
 1 Shaftesbury Street
 Fordingbridge
 Hampshire
 SP6 1JF

Registered number of holder, for example company number, charity number (where applicable)

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol
 Lynda Butler

Support of Review - Public Health

Sarah Wilson

From: Public Health Licensing [publichealth.licensing@hants.gov.uk]
Sent: 19 September 2013 12:36
To: Licensing e-mail address
Subject: RE: Application: Review of Premises Licence (S51) Ref: LICPR/05/00584 - BUTLERS BAR AND GRILL, 1 SHAFTESBURY STREET, FORDINGBRIDGE, SP6 1JF

Good Afternoon,

Please see below an email from Dr Ruth Milton, Director of Public Health, regarding this application for a premise review.

Please do get back to me if you have any queries

Kind Regards

Abbie

Following receipt of the application for a review of the premises for Butlers Bar and Grill in Fordingbridge, Hampshire Public Health would support the request of a review on the following grounds;

- 2) Public safety,
- 4) The protection of children from harm

National alcohol data highlight the Fordingbridge area of the New Forest as an area of medium risk drinkers (ALC, 2010) characteristics of these types of drinkers include high hospital admissions. The most recent data (2010 to 2012) suggest that alcohol specific hospital admissions for this ward are higher than Hampshire, although not statistically significant. Trend analysis for the New Forest show that from 2008/09 to 2011/12 the all persons alcohol-specific hospital admissions rate has increased by 51%, which equates to almost 200 more admissions for an alcohol-specific condition in 2011/12 (JSNA, 2013). A large proportion of alcohol-specific admissions are due to acute intoxication or extreme drunkenness. Binge drinking or acute intoxication is responsible for the majority of short term harm to a person (Wright, 1999). Evidence also shows that binge drinking can cause adverse health impacts such as alcohol poisoning, acute pancreatitis and acute cardiac arrhythmias (Babor et al. 2010).

In addition to the person's own alcohol-related health there is strong evidence that shows that parental attitudes to alcohol and their own drinking habits are a key influence on a child's attitude to alcohol and their drinking habits (Donaldson, 2009). Evidence presented by Hampshire constabulary highlight 'concerns in relation to young people being seen in the venue', the New Forest has significantly higher under 18 alcohol-specific admissions compared to Hampshire (LAPE, 2012). Drinking from an earlier age can increase the likelihood of a person experiencing alcohol-related health effects. Furthermore the propensity of alcohol abuse and dependence is highest among adolescents who begin drinking before the age of 15 years (Donaldson, 2009). We would support the move to implement a Challenge 25 policy.

References;

ALC (2010). Alcohol Learning Centre Toolkit. Downloaded from the Alcohol Learning Centre website: <http://www.alcohollearningcentre.org.uk/Topics/Browse/SocialMarketing/toolkit2010/introduction/alcoholEffectsCampaign/>

Babor, T., Caetano, R., Casswell, S., Edwards, G., Giesbrecht, N., Graham, K., Rossow, I. (2010). Alcohol No Ordinary Commodity: Research and public policy, 2nd edition, Oxford, United Kingdom: Oxford University Press

Donaldson, L. (2009). Guidance on the consumption of alcohol by children and young people. Retrieved from The National Archives Department of health website:

http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/Aboutus/MinistersandDepartmentLeaders/ChiefMedicalOfficer/Archive/Newsarchive/DH_096185

JSNA (2013) Available from Public Health, Hampshire County Council, Winchester.

LAPE (2012) Local Alcohol Profiles for England. Retrieved from <http://www.lape.org.uk/>.

Wright, L. (1999). Young People and Alcohol: What 11 to 24 Year Olds Know, Think and Do. Downloaded from the Health Education Authority website:
http://isbndb.com/d/publisher/health_education_authority.html?start_item=201

Abbie Twaits
Public Health Administrator
Public Health Department, Corporate Services
02380 383301

Email: abbie.twait@hants.gov.uk

From: licensing@nfdc.gov.uk [mailto:licensing@nfdc.gov.uk]
Sent: 13 September 2013 15:30
To: Public Health Licensing
Subject: Application: Review of Premises Licence (S51) Ref: LICPR/05/00584 - BUTLERS BAR AND GRILL, 1 SHAFTESBURY STREET, FORDINGBRIDGE, SP6 1JF

To:	The Responsible Authorities
Our Ref:	LICPR/05/00584 - SW
Date:	13 September 2013
Application Type:	Review of Premises Licence (S51)
Premises Details:	Butlers Bar & Grill Butlers Bar And Grill, 1 Shaftesbury Street, Fordingbridge, SP6 1JF
Applicant Details:	John Charles Butler Lynda Butler

LICENSING ACT 2003

REVIEW 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 **11 October 2013**.

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.

Home Office**AMENDED GUIDANCE ISSUED UNDER SECTION 182 OF THE LICENSING ACT 2003**

October 2012

11. THE REVIEW PROCESS

- 11.1 The proceedings set out in the 2003 Act for reviewing premises licences and club premises certificates represent a key protection for the community where problems associated with the licensing objectives occur after the grant or variation of a premises licence or club premises certificate.
- 11.2 At any stage, following the grant of a premises licence or club premises certificate, a responsible authority, or any other person, may ask the licensing authority to review the licence or certificate because of a matter arising at the premises in connection with any of the four licensing objectives.
- 11.3 An application for review may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent written application. The licensing authority may also agree in advance that the application need not be given in writing. However, these applications are outside the formal electronic application process and may not be submitted via GOV.UK or the licensing authority's electronic facility.
- 11.4 In addition, the licensing authority must review a licence if the premises to which it relates was made the subject of a closure order by the police based on nuisance or disorder and the magistrates' court has sent the authority the relevant notice of its determination, or if the police have made an application for summary review on the basis that premises are associated with serious crime and/or disorder.
- 11.5 Any responsible authority under the 2003 Act may apply for a review of a premises licence or club premises certificate. Therefore, the relevant licensing authority may apply for a review if it is concerned about licensed activities at premises and wants to intervene early without waiting for representations from other persons. However, it is not expected that licensing authorities should normally act as responsible authorities in applying for reviews on behalf of other persons, such as local residents or community groups. These individuals or groups are entitled to apply for a review for a licence or certificate in their own right if they have grounds to do so. It is also reasonable for licensing authorities to expect other responsible authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder. Likewise, where there are concerns about noise nuisance, it is reasonable to expect the local authority exercising environmental health functions for the area in which the premises are situated to make the application for review.
- 11.6 Where the relevant licensing authority does act as a responsible authority and applies for a review, it is important that a separation of responsibilities is still achieved in this process to ensure procedural fairness and eliminate conflicts of interest. As outlined previously in Chapter 9 of this Guidance, the distinct functions of acting as licensing authority and responsible authority should be exercised by different officials to ensure a separation of responsibilities. Further information on

how licensing authorities should achieve this separation of responsibilities can be found in Chapter 9, paragraphs 9.13 to 9.19 of this Guidance.

- 11.7 In every case, any application for a review must relate to particular premises in respect of which there is a premises licence or club premises certificate and must be relevant to the promotion of one or more of the licensing objectives. Following the grant or variation of a licence or certificate, a complaint regarding a general issue in the local area relating to the licensing objectives, such as a general (crime and disorder) situation in a town centre, should generally not be regarded as a relevant representation unless it can be positively tied or linked by a causal connection to particular premises, which would allow for a proper review of the licence or certificate. For instance, a geographic cluster of complaints, including along transport routes related to an individual public house and its closing time, could give grounds for a review of an existing licence as well as direct incidents of crime and disorder around a particular public house.
- 11.8 Where a licensing authority receives a geographic cluster of complaints, the authority may consider whether these issues are the result of the cumulative impact of licensed premises within the area concerned. In such circumstances, the authority may also consider whether it would be appropriate to include a special policy relating to cumulative impact within its licensing policy statement. Further guidance on cumulative impact policies can be found in Chapter 13 of this Guidance.
- 11.9 Representations must be made in writing and may be amplified at the subsequent hearing or may stand in their own right. Additional representations which do not amount to an amplification of the original representation may not be made at the hearing. Representations may be made electronically, provided the licensing authority agrees and the applicant submits a subsequent written representation. The licensing authority may also agree in advance that the representation need not be given in writing.
- 11.10 Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this co-operation.
- 11.11 If the application for a review has been made by a person other than a responsible authority (for example, a local resident, residents' association, local business or trade association), before taking action the licensing authority must first consider whether the complaint being made is relevant, frivolous, vexatious or repetitive. Further guidance on determining whether a representation is frivolous or vexatious can be found in Chapter 9 of this Guidance (paragraphs 9.4 to 9.10).

POWERS OF A LICENSING AUTHORITY ON THE DETERMINATION OF A REVIEW

- 11.16 The 2003 Act provides a range of powers for the licensing authority which it may exercise on determining a review where it considers them appropriate for the promotion of the licensing objectives.

- 11.17 The licensing authority may decide that the review does not require it to take any further steps appropriate to promote the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.
- 11.18 However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate.
- 11.19 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
- to modify the conditions of the premises licence (which includes adding new conditions or any alteration or omission of an existing condition), for example, by reducing the hours of opening or by requiring door supervisors at particular times;
 - to exclude a licensable activity from the scope of the licence, for example, to exclude the performance of live music or playing of recorded music (where it is not within the incidental live and recorded music exemption);
 - to remove the designated premises supervisor, for example, because they consider that the problems are the result of poor management;
 - to suspend the licence for a period not exceeding three months;
 - to revoke the licence.
- 11.20 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response.
- 11.21 For example, licensing authorities should be alive to the possibility that the removal and replacement of the designated premises supervisor may be sufficient to remedy a problem where the cause of the identified problem directly relates to poor management decisions made by that individual.
- 11.22 Equally, it may emerge that poor management is a direct reflection of poor company practice or policy and the mere removal of the designated premises supervisor may be an inadequate response to the problems presented. Indeed, where subsequent review hearings are generated by representations, it should be rare merely to remove a succession of designated premises supervisors as this would be a clear indication of deeper problems that impact upon the licensing objectives.
- 11.23 Licensing authorities should also note that modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months. Temporary changes or suspension of the licence for up to three months could impact on the business holding the licence financially and would only be expected to be pursued as an appropriate means of promoting the licensing objectives. So, for instance, a licence could be suspended for a weekend as a means of deterring the holder from allowing the problems that gave rise to the review to

happen again. However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.

REVIEWS ARISING IN CONNECTION WITH CRIME

- 11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises; money laundering by criminal gangs, the sale of contraband or stolen goods, or the sale of firearms. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.
- 11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.
- 11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual licence holder.
- 11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:
- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
 - for the sale and distribution of illegal firearms;
 - for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
 - for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
 - for prostitution or the sale of unlawful pornography;

- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
- for unlawful gambling; and
- for the sale of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.