



Meeting	Licensing Sub-Committee
Date and Time	Tuesday, 22nd July, 2025 at 10.00 am.
Venue	Walton Suite, Guildhall, Winchester and streamed live on YouTube at www.youtube.com/winchestercc

SUPPLEMENTARY AGENDA 1

Agenda Item.

3. Application for a Review of Premises Licence - Rising Sun, 27 Spring Lane, Colden Common, Winchester, SO21 1SD (LR600) (Pages 3 - 14)

(Supplementary Agenda 1 - LR600
Appendix G Map and Proposed
Conditions and Supporting document
submitted by the Licence Holders
Barrister)

City Offices
Colebrook Street
Winchester
SO23 9LJ

Laura Taylor
Chief Executive

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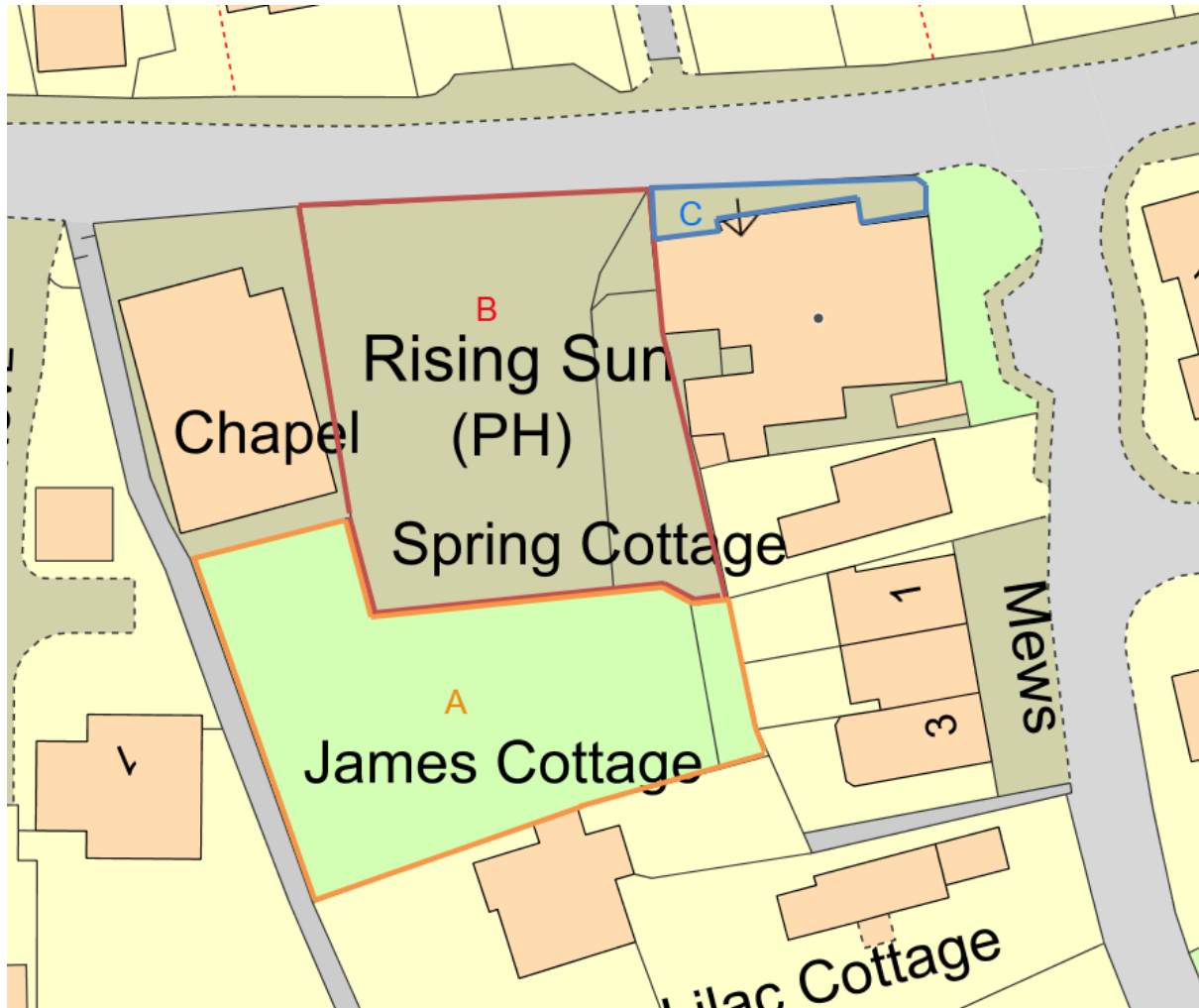
21 July 2025

Agenda Contact: Claire Buchanan, Senior Democratic Services Officer
Tel: 01962 848 438 Email: cbuchanan@winchester.gov.uk



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Appendix G: Map delineating areas of the premises to accompany proposed conditions



From: Abby Toms
Sent: 16 July 2025 17:46
To: jonny
Cc: Licensing ; Phil Tidridge
Subject: RE: Rising Sun

Good afternoon Jonny

I think we have made some progress forward and will be able to agree some of the conditions below so thank you for your correspondence. However, I remain concerned that some of your proposals do not prevent public nuisance and on those matters it should be for the Licensing Sub-Committee to decide.

The matters I see that we agree on (suggested wording in Italics):

1. *CCTV- internal and external CCTV shall be installed, with footage retained for a minimum of 28 days and made available to responsible authorities upon request.*
2. To remove all of the Public Nuisance conditions attached to PREM 241.
3. I am happy to agree a condition for the 'grassed area' to be closed after 2230 – but this just applies to the grassed area only. I am understanding that smokers will be moved to the front (Area C on the map) after this time.
The garden marked A on the map shall not be used by customers after the hours of 2230.
4. *All windows and doors shall be kept closed (other than for access and egress) when regulated entertainment is being played.*
5. Noise Management Plan – you have expressly agreed some of this so I think you are agreeable to this? *The premises shall operate in accordance with a Noise Management Plan (NMP) to be agreed and approved in writing by the Licensing Authority within 2 months. The Premises Licence holder shall ensure that the premises operates in accordance with the approved NMP.* I have given some guidance as to what we would expect to see in this in the main review application document.

Matters that we may agree to disagree on:

6. *The provision of live/ recorded music at the Premises shall no longer be exempt from licensing requirements under the Live Music Act 2012. Accordingly any performance of live/ recorded music shall be subject to the conditions of this Premises Licence and shall not take place unless specifically authorised by this Licence.* I think you were implying that you wouldn't object to this but didn't want to do it through the review process, so would be useful to confirm your position at Committee.
7. *No 'amplified' live or recorded music shall be played outside.* Originally I had proposed no live or recorded music but I would be prepared to change this to no 'amplified' music shall

be played outside – of course accepting that unamplified music would be subject to the noise management plan.

8. Outdoor Area B on the map – whatever you choose to call this

We still maintain that this area should not be used. The area where people sit underneath the wooden structure is in my opinion too close to the immediate neighbour's property and the impact has been causing significant public nuisance, also subject to an Abatement Notice and the structure subject to a Planning Enforcement Notice (currently awaiting appeal decision by Planning Inspector)

9. *A suitable noise limiting device shall be installed and set at a level to be agreed with the Licensing Authority within 2 months. It shall thereafter be maintained in such a manner as to control all sources of amplified music at the Premises in accordance with the agreement.* We have listened to your concerns about this; however in view of the history of disturbance we still believe that this is an appropriate and proportionate control.

Kind regards

Abby

Abby Toms

Environmental Protection Manager
Chair of Winchester Safety Advisory Group

Public Protection
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From: [jonny](#)
Sent: 10 July 2025 22:17
To: Abby Toms
Cc: Licensing ; Phil Tidridge
Subject: Re: Rising Sun

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1. CCTV we already have 16 cameras installed internally and externally on a DVR. It was just to make this cemented in a condition.

2. I have sent a separate email relating to this to clarify the historic layout.

And what we deemed to be an acceptable compromise with this.

3. Happy to add the monitoring of the area after 1030 to ensure reduced time outside

4. if I continue to go outside of our new conditions, you will simply review me at that point and I'm sure the license and committee will take a dim view given the history.

5. As discussed with yourself/ Phil. I believe the best course of action is to set up some music and talk to the local residence to see what is affecting them in their households and have a fair reflected noise volume. The within document and have processes in place for regular monitoring during any live music/DJ.

6. No comment needed.

7. to be including in monitoring plan with staff regularly checking including the smoking area after 1030.

8. Again I think this is down to some mutual respect and reiterating that any potential review if this is breached would not look dimly upon prior events if I choose to ignore. Must remind you we have only had three events in the garden in an 18 month period. One of those being a generation event of the England euro final

9. .point 5 had already suggested a noise monitoring.

Apologies for its layout, obviously with my visual impermanent not mine strong point doing email replies in this nature.

Just to reiterate, my points I am in the illusion of variation is just going to simply make this matter finish . The variation is there to appease the points raised. Then should we go outside of that? I'm very aware that this will not be looked on in a very good way by the license and committee and any further punishment is likely to be more severe. We have no intention of using the car park area for events and if there is a need they will be TEN applications placed regardless

We would very much like to work with any neighbours that the pub is causing a nuisance to. My number is available to any of these residents and I would more than happy to discuss directly to try and solve any issues. They are having both on a regular basis and in the moment if needed.

I am due to go on holiday tomorrow for 10 days, but I will still have my laptop given the time scale of the review meeting I would be keen to get a resolution to the sooner rather than later to try and avoid any unnecessary costs to the taxpayer. as other than the live music act being removed, I believe everything else that I have already offered in the variation is all that would end up being the outcome of the review meeting anyway..

Best wishes in taste

Jonny

CEO

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Dear Jonny

Thank you for your email. I appreciate your commitment towards improving noise management at The Rising Sun. We are, as you know, keen to move towards a resolution to the noise issues through new conditions. As regards your proposed conditions, I have a few comments/ queries highlighted in blue as below.

Proposed Licence Variations:

1. CCTV

Installation of internal and external CCTV, with footage retained for a minimum of 28 days and made available to responsible authorities upon request. (currently installed but not on our licence) No issue with this condition – is there a plan as to where the CCTV is for clarity?

2. Garden Area

The main garden area will be closed to customers after 22:30 each night, seven days a week. Just to be clear I have attached a map. Can you clarify what you are classifying as the garden area in accordance with the map? I would have classed the garden area to be Area A on the attached map and would have no issue with this condition in respect of Area A. However, as you know, we have concerns about Area B which I would not designate as a garden and is where the wooden structure is located and one of the areas that has been giving rise to public nuisance. To clarify we consider area B should be only used for car parking and not as an extension to the outside customer seating already provided in area A.

3. External Access After 22:30

After 22:30, the front smoking area will be the only accessible external space for patrons. I support this condition, but I am still concerned about use within Area B pre 22:30 as it is incredibly close to the boundary fence of the nearest neighbour. Also, I think we discussed a commitment to the smoking area being actively monitored by staff to ensure it is used just for smoking and drinks are not taken outside (this can be then expanded upon in the noise management plan that you reference in 5 below).

4. Live Music/DJ Events

Live music and DJ events will be limited to one event per calendar month (with the addition of Christmas Eve and New Year's Eve), with a strict curfew of 23:00. No issue with this condition – I think it's the volume of the music and noise escape that we are concerned with. Also, I don't think this is enforceable as you can do this regardless

because of the Live Music Act. As we have discussed only the Licensing Committee can disapply this.

5. Noise Management

A noise monitoring plan will be implemented to ensure noise levels remain reasonable and do not cause a nuisance to neighbouring properties. [Some specific detail here would be useful as to what level is reasonable and how it will be monitored and enforced. 'Reasonable' is quite subjective.](#)

6. Doors and Windows

All external doors and windows will be kept closed during live music or DJ events, except for access and egress. [Agreed](#)

7. Staff Monitoring

Staff will be instructed to regularly monitor external areas during busy periods to manage noise and customer behaviour. [Agreed but also see my comments regarding monitoring the smoking area.](#)

8. Outdoor Events

Any events in the outside space will only be held with prior written permission from the Licensing Authority or under the terms of an approved Temporary Event Notice (TEN), depending on the nature of the event. [Again, I don't think this is enforceable as you can do this regardless because of the Live Music Act. As we have discussed only the Licensing Committee can disapply this.](#)

9. Noise Management Plan - we would require a condition for this

Our concern remains around the car park area and that some of these conditions cannot be enforced except in a hearing (as detailed above)

I look forward to your reply.

Kind regards

Abby

Abby Toms

Environmental Protection Manager
Chair of Winchester Safety Advisory Group

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From: jonny
Sent: 04 July 2025 08:32
To: Licensing ; Abby Toms
Subject: Rising Sun

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Subject: Proposed Licence Variations – Following Recent Meeting

Good morning,

Following our meeting last week with Abby and Phil, and the subsequent discussion with Carrol, I would like to formally propose the following conditions as variations to my premises licence.

These proposed amendments are intended to address the concerns raised in the three representations submitted by the two residents and Councillor Cook. I hope that, with these variations in place, a formal licence review may no longer be necessary.

Proposed Licence Variations:

1. CCTV
Installation of internal and external CCTV, with footage retained for a minimum of 28 days and made available to responsible authorities upon request. (currently installed but not on our licence

2. Garden Area

The main garden area will be closed to customers after 22:30 each night, seven days a week.

3. External Access After 22:30

4. Live Music/DJ Events

Live music and DJ events will be limited to one event per calendar month (with the addition of Christmas Eve and New Year's Eve), with a strict curfew of 23:00.

5. Noise Management

A noise monitoring plan will be implemented to ensure noise levels remain reasonable and do not cause a nuisance to neighbouring properties.

6. Doors and Windows

All external doors and windows will be kept closed during live music or DJ events, except for access and egress.

7. Staff Monitoring

Staff will be instructed to regularly monitor external areas during busy periods to manage noise and customer behaviour.

8. Outdoor Events

Any events in the outside space will only be held with prior written permission from the Licensing Authority or under the terms of an approved Temporary Event Notice (TEN), depending on the nature of the event.

I welcome any further comments you may have, but I believe the above measures comprehensively address the concerns raised in the representations. I would appreciate these being proposed to the representations and see if these conditions being added will allow this to bring the process to an end once the variation has been submitted.

Best wishes in taste

Jonny
CEO

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<Appendix G - Map delineating areas of the premises to accompany proposed conditions.docx>

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RISING SUN NOISE MANAGEMENT PLAN

Purpose

There are 4 licensing objectives of equal importance:

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

This policy focuses on ensuring we meet our legal obligation to prevent public nuisance.

Responsibility

All staff have a responsibility to work together to ensure the venue does not cause a nuisance to members of the public and surrounding businesses.

Internal Noise

Internal noise is noise can seep from inside a premises to outside, this can come from a variety of sources such as:

- People: When many people gather, particularly when drinking or having a good time they can make a lot of noise intentionally and unintentionally. It is our job to make sure that it can't seep out of the premises and disrupt our neighbours.
- Speakers and sound making equipment.
- Building work.
- How we mitigate internal noise
- Keeping external windows and doors closed.
- Utilising calmer playlists after 11pm.
- Staff to use prescribed playlists by Duty Managers.
- Noisy building and repair work to be done outside office hours where possible, but not if it will disturb residents.

External Noise

Noise outside our premises caused by us or our customers can come from a variety of sources such as:

- Leaving
- Smokers outside the front
- Deliveries
- Receiving
- Delivery drivers
- Glass bin emptying

How we mitigate external noise:

- Implement soft-close dispersal policy, to allow for a more staggered dispersal of the venue and reduced noise.
- Smoking area management from staff – reminding patrons of acceptable noise levels.
- Smoking area checks from floor staff and management where door supervisors are not in place.
- Ensure deliveries take place after 7am.
- Ensure the bottle bin is not emptied between 11pm and 7am.
- After this time use black bags inside bottle bins and place waste quietly into General Waste bin.
- Prominent signage asking patrons to leave quietly above main door.

Dealing with Noise and ASB Complaints

It is important to build and maintain close relationships with residents, businesses and the statutory authorities. If we receive complaints from any of the above sources they should be treated seriously and with respect. Be polite and pass the person to the most senior person in the building. All complaints should be logged in the incident book and as soon as is practicable, or if causing a major disruption/inconvenience, immediately.

What is the noise risk from cars/taxis visiting the premises?

There is no car park at the premises.

It is likely that people will want to arrive and leave the premises by taxi. It is considered that taxis are however likely to pull up at the front of the premises which.

Staff on duty will be encouraged to remind taxi drivers not to use horns to summon customers.

Patrols

Patrols are to take place after 11pm. These patrols are to take place hourly and will require a member of staff to stand outside residential premises that can be affected by regulated entertainment to see if the noise is audible.

A patrol sheet is to be completed together with details of any actions taken (in the form attached).

It is considered the main route for dispersal will again be away from residential areas and so it is hoped that noise nuisance from the dispersal will be kept to a minimum.

General

Signs have been displayed requesting patrons to disperse quietly.

Doors and windows are to be kept closed during entertainment save for access and egress.