



Meeting	Licensing Sub-Committee
Date and Time	Tuesday, 26th March, 2024 at 10.00 am.
Venue	Walton Suite, Guildhall, Winchester and streamed live on YouTube at <a href="http://www.youtube.com/winchestercc">www.youtube.com/winchestercc</a>

**Note:** This meeting is being held in person at the location specified above.

Members of the public should note that a live video feed of the meeting will be available from the council's YouTube channel ([www.youtube.com/winchestercc](http://www.youtube.com/winchestercc)) during the meeting.

A limited number of seats will be made available at the above named location. Please note that priority will be given to those who have made written representation to the application following confirmation with the Licensing Team, over those wishing to attend and observe. Those who may wish to observe must notify the council at least 3 working days in advance of the meeting.

## AGENDA

- To confirm a Chairperson for the meeting**
- Disclosure of Interests**  
To receive any disclosure of interests from Members and Officers in matters to be discussed.  
*Note: Councillors are reminded of their obligations to declare disclosable pecuniary interests, personal and/or prejudicial interests in accordance with legislation and the Council's Code of Conduct.*
- Application for New Premises Licence - The Rising Sun, 14 Bridge Street, Winchester, SO23 0HL (LR583) (Pages 5 - 56)**

**Laura Taylor**  
Chief Executive

14 March 2024

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

**The Membership of the Sub-Committee will be:**

Councillors Laming, Langford-Smith and Pett

**Reserve Member:**

Councillor Morris

**Appointments** – The Sub-Committee consists of a Chairperson and two other Members who are appointed on a rota basis from the membership of the full Licensing and Regulation Committee subject to availability. The confirmation of a Chairperson will be made at the start of each meeting from the three Members that form the Licensing Sub-Committee.

For the information, the Membership of the Licensing and Regulation Committee is:

Councillors: Laming, Brophy, Prest, Pett, S Achwal, Eve, Kurn, Pearson, Langford-Smith and Wallace (Deputies: Cllrs Cunningham, Lee, Morris, Read and Small)

**FILMING AND BROADCAST NOTIFICATION**

This meeting will be recorded and broadcast live from the Council's YouTube channel. The meeting may also be recorded and broadcast by the press and members of the public – please see the Access to Information Procedure Rules within the Council's Constitution for further information, which is available to view on the [Council's website](#). Please note that the video recording is subtitled, but you may have to enable your device to see them (advice on how to do this is on the meeting page).

## **Licensing Sub Committee - Procedure for Hearing Applications for Premises Licences and Club Premises Certificates**

In accordance with the Licensing Act 2003 (Hearings) Regulations 2005, the hearing will take the form of a discussion led by the Sub-Committee. Cross-examination will not be permitted unless the Sub-Committee considers it necessary to properly consider the matter.

Written objections, representations and petitions will be circulated with the Agenda and Report and will be taken into account by Members of the Sub-Committee. Only those who have made "relevant representations" within the meaning of the Licensing Act 2003 will be entitled to be heard as of right by the Sub-Committee.

1. The **Chairperson** will set out the procedure to be followed during the hearing
2. **The Licensing Manager** will introduce the Report.
3. **Members** of the Sub-Committee may ask questions of the **Licensing Manager**.
4. The **Applicant** or representative may address the Sub-Committee as follows:- a) to clarify any points which the Licensing Authority has given notice of (Regulation 7(1)(d) of the Licensing Act 2003 (Hearings) Regulations 2005; b) to address the Sub-Committee and present the application.
5. **Members** of the Sub-Committee may ask questions of the **Applicant** or representative

Responsible Authorities who have made representations will then be allowed to introduce their representations. The Sub-Committee may ask them questions, and (subject to the permission of the Sub-Committee) the Applicant or representative may ask them questions.

6. **Environmental Health Officer**
7. **Police**
8. **Fire Service**
9. **Child Protection Team**
10. **Local Planning Authority**
11. **Health and Safety Executive**
12. **Trading Standards**
13. **NHS Public Health Manager**
14. **Licensing Authority**

Persons who have made Relevant Representations (within the meaning of the Licensing Act 2003) will then be allowed to introduce their representations. The Sub-Committee may ask them questions, and (subject to the permission of the Sub-Committee) the Applicant or representative may ask them questions.

15. **Persons making Relevant Representations**

16. The **Applicant** or representative may address the Sub-Committee in order to reply to any representation made.
17. **Members** of the Sub-Committee may ask questions of the **Applicant** or representative

The Sub-Committee will retire to consider the application in private with only the Head of Legal Services' representative and Democratic Services Officer in attendance. The Committee will reach its determination and notify the applicant of the decision, and give reasons for that decision, in accordance with Regulations 26 – 29 of the Licensing Act 2003 (Hearings) Regulations 2005.

# Agenda Item 3

LR583  
FOR DECISION  
WARD(S): ST MICHAEL

## **LICENSING SUB – COMMITTEE**

Tuesday 26 March 2024 10:00 at Guildhall Winchester

Report of the Service Lead for Public Protection

Contact Officer: Carol Stefanczuk

Tel: 01962 848188

Email: [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)

Application: Grant of Premises Licence

Premises: The Rising Sun, 14 Bridge Street, Winchester, SO23 8HL

### **Part A. Report**

- 1 Application**
- 2 Responsible Authorities**
- 3 Other Representations**
- 4 Observations**
- 5 Conditions**
- 6 Other Considerations**

### **Part B. Appendices**

- Appendix 1 Application**
- Appendix 2 Representations from Other Persons**
- Appendix 3 Location plan with representations**

**Part A.****1. Application****Applicant:** Wellington Pub Company PLC**Premises:** The Rising Sun, 14 Bridge Street, Winchester, SO23 8HL

1.1 This application is for grant of a new premises licence under section 34 of the Licensing Act 2003 for The Rising Sun, 14 Bridge Street, Winchester, SO23 8HL.

1.2 The application seeks to provide licensable activities as detailed below:

Live and Recorded Music (indoors only) and Supply of Alcohol (for consumption on and off the premises):

Monday to Thursday	1100 to 0000
Friday and Saturday	1100 to 0100
Sunday	1100 to 2330
Christmas Eve	1100 to 0100 the next day
New Years Eve	1100 to 1100 1 January

1.3 A Premises Licence has previously been granted for The Rising Sun from 24 November 2005 (effective from introduction of Licensing Act 2003) until 14 December 2023 when the licence lapsed due to insolvency of the licence holder. A premises licence transfer application was not received.

1.4 The previous premises licence authorised licensable activities for the same timings as in paragraph 1.2 above, with the exception of regulated entertainment on Christmas Eve and New Years Eve.

1.5 Eight valid representations from 'Other Persons' have been received in relation to the prevention of crime and disorder and prevention of public nuisance licensing objectives. Copies of the representations can be found at Appendix 2.

1.6 During the consultation period, conditions were agreed between the applicant and Hampshire Constabulary and the applicant and Environmental Protection, should a licence be granted. The agreed conditions can be found in section 5 of the report.

1.7 Notice of the application was displayed outside of the premises for a period of 28 days until 27 February 2024, and advertised in the Hampshire Chronicle on 8 February 2024.

1.8 Notices of the hearing were sent to all Parties on 7 March 2024.

**Designated Premises Supervisor**

To be confirmed.

If granted, the premises licence cannot be used until a nominated personal licence holder is formally named as the Designated Premises Supervisor (DPS).

**Steps to promote the Licensing Objectives**

Proposed conditions are set out as part of the application at Appendix 1. Agreed conditions with Hampshire Constabulary and Environmental Protection are set out in section 5 of the report, shown in *italics*.

## **Relevant Representations**

### **2. Responsible Authorities**

All of the Responsible Authorities have been served with a copy of the application. The representations received are as follows:

#### **Environmental Health**

Conditions were agreed between the applicant and Environmental Protection during the consultation period, should a licence be granted.

#### **Hampshire Constabulary**

Conditions were agreed between the applicant and Hampshire Constabulary during the consultation period, should a licence be granted.

#### **Hampshire Fire and Rescue Service**

No representations received.

#### **Child Protection Team**

No representations received.

#### **Building Control**

No representations received.

#### **Head of Trading Standards**

No representations received.

#### **Public Health Manager**

No representations received.

#### **Home Office**

No representations received.

#### **Licensing Authority**

No representations received.

#### **Planning**

No representations received.



**3. Representations from Other Persons**

Representations have been received from eight 'Other Persons', all of which are against the application. The main concerns are with regard to the prevention of crime and disorder and prevention of public nuisance licensing objectives.

Representations can be seen at Appendix 2.

#### 4. **Observations**

4.1 The Sub-Committee is obliged to determine this application with a view to promoting the Licensing Objectives:

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

4.2 In making its decision, the Sub-Committee is also obliged to have regard to the [National Guidance](#) and the Council's [Licensing Policy](#).

4.3 The Sub-Committee must have regard to all of the representations.

4.4 The Sub-Committee must take such of the following steps it considers appropriate to promote the Licensing Objectives:

- a) Grant the licence subject to conditions in accordance with the operating schedule (modified to such extent as the authority considers appropriate for the promotion of the licensing objectives) and the mandatory conditions;
- b) exclude from the scope of the licence any of the licensable activities to which the application relates;
- c) refuse to specify a person in the licence as the premises supervisor;
- d) reject the application.

#### **Terminal hours**

The Sub-Committee should take account of the National Guidance and the Council's Licensing Policy with regard to terminal hours and take such steps as it considers appropriate to promote the Licensing Objectives.

(Licensing Policy 2.22 Part 4, A8, C4)

#### **Licensing Objectives**

##### **Crime and Disorder**

The Sub-Committee should consider any appropriate conditions to prevent crime and public disorder relating to the premises having regard to the operating schedule and the representations.

(Licensing Policy 1.9, 2.9 - 2.11, 2.17, 2.19 – 2.21 and Part 4 Section A)

### Public Safety

The Sub-Committee should consider any appropriate conditions relating to public safety having regard to the relating to the premises having regard to the operating schedule and the representations.

(Licensing Policy Part 4, B2, B3)

### Public Nuisance

The Sub-Committee should consider any appropriate conditions to prevent public nuisance caused by noise pollution from the premises relating to the premises having regard to the operating schedule and the representations.

(Licensing Policy Part 4, Section C)

### Protection of Children

The Sub-Committee should consider any necessary conditions for the Protection of Children relating to the premises having regard to the operating schedule and the representations.

(Licensing Policy Part 4, D6, D7)

### **Human Rights**

It is considered that Articles 6 (right to a fair trial) 8 (right to respect for private and family life) and Article 1 of the First Protocol (right to peaceable enjoyment of possessions) may be relevant. As there is a right of appeal to the Magistrates' Court, it is considered that there would be no infringement of Article 6. Article 8 is relevant, insofar as the nearby residents could claim that this right would be infringed by disturbance from customers. This should be balanced against the applicants' right to use of their premises under Article 1 of the First Protocol. Interference with these rights is permitted, where this interference is lawful, appropriate in a democratic society, and proportionate. Likewise, the residents may argue that their rights under Article 1 of the First Protocol would be infringed. If conditions are imposed, there should be no interference with any convention rights. To the extent that any interference may occur, it would be justifiable in a democratic society, and proportionate.

### **Public Sector Equality Duty**

The Public Sector equality duty must be taken in to consideration with all decision making. The duty is stated in section 149 of The Equality Act 2010. This application raises no considerations under this Act.

## 5. Conditions

### Mandatory Conditions

#### **The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014**

1. (1) The responsible person must 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—
  - (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 in a manner which carries a significant risk of undermining a licensing objective;
  - (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 in a manner which carried a significant risk of undermining a licensing objective;
  - (d) 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;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) 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

- either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
4. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other an 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: 25ml or 35ml; and
    - (iii) still wine in a glass: 125ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

#### **Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) “permitted price” is the price found by applying the formula-  **$P = D + (D \times V)$**   
 where-
    - (i) **P** is the permitted price,
    - (ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph 2 applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.  
 (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Possible Conditions**

If the application is granted, the Sub-Committee may wish to consider the following conditions to reflect the Operating Schedule:

*Conditions shown in italics have been agreed with Hampshire Constabulary, should a licence be granted.*

### **Operating Hours**

1. The hours the premises may be used for the sale of alcohol (for consumption on and off the premises) shall be:
 

Monday to Thursday	1100 to 0000
Friday and Saturday	1100 to 0100
Sunday	1100 to 2330
Christmas Eve	1100 to 0100 the next day
New Years Eve	1100 to 1100 1 January
  
2. The hours the premises may be used for the provision of regulated entertainment shall be:
 

Live and Recorded Music (indoors only)

Monday to Thursday	1100 to 0000
Friday and Saturday	1100 to 0100
Sunday	1100 to 2330
Christmas Eve	1100 to 0100 the next day
New Years Eve	1100 to 1100 1 January
  
3. The hours the premises may open for other than Licensable Activities shall be:
 

Monday to Thursday	1100 to 0030
Friday and Saturday	1100 to 0130
Sunday	1100 to 0000
Christmas Eve	1100 to 0130 the next day
New Years Eve	1100 to 1100 1 January

## Crime and Disorder

### CCTV

- CD1. *A colour recording CCTV system that captures images from the main public areas shall be fully operational whilst licensable activities are taking place.*
- CD2. *The system shall be able to cope with all levels of illumination.*
- CD3. *The recording equipment shall be stored and operated in a secure environment with limited access, to avoid damage, theft, unauthorised viewing and maintain the integrity of the system.*
- CD4. *The system shall be serviced at least annually and maintained to a standard that is acceptable to the police licensing department responsible for the area.*
- CD5. *The system clock shall be checked regularly for accuracy taking account of GMT and BST.*
- CD6. *Digital systems shall have sufficient storage capacity for a minimum of 28 days evidential quality recordings.*
- CD7. *The images produced shall be date and time stamped.*
- CD8. *A notice shall be displayed at the entrance to the premises advising that CCTV is in operation.*
- CD9. *An additional recording CCTV camera shall be installed and fully operational whilst the venue is open to the public to cover the area immediately outside the front of the premises.*
- CD10. *It is important that the Police are able to access data from the systems quickly and easily and therefore provision shall be made that at all times the premises is open a person is in attendance who is nominated by the data controller who has access to the secure area who is able to operate the equipment and download data.*

### Security

- CD11. *On Fridays, Saturdays and days preceding UK public holidays from 21:00 until the closing time of the venue, two frontline door supervisor, SIA registered security staff shall be employed at the venue. This number is to include only frontline door supervisor SIA staff employed solely on door supervisor / security duties, i.e. safety and security at the venue.*
- CD12. *All persons who are frontline door supervisor SIA registered and whose position or role profile is solely security at the venue, shall wear a*

*fluorescent and reflective orange tabard or jacket, clearly marked security at all times.*

*CD13. All front door refusals are to be recorded promptly, including the reason i.e. too intoxicated, barred suspicion of drugs etc.*

*CD14. If a person is ejected from the venue by a member of staff, a record must be made of the incident including details of the staff members involved and a summary of the circumstances. This must be completed as soon as practicable but prior than the end of that persons shift.*

*CD15. The licence holder shall maintain a duty register giving details of each and every person employed in the role of a security and shall provide upon request by any responsible authority, the following details:-*

- The full licence number, name, residential address and telephone number of that person;*
- The time at which they commenced that period of duty, with a signed acknowledgement by that person;*
- The time at which they finished the period of duty, with a signed acknowledgement by that person;*
- Any times during the period of duty when they were not on duty;*
- If that person is not employed directly by the licence holder or venue but via a security contractor company, then details of this company must also be supplied (company name and out of office contact details).*

*CD16. The register shall be so kept upon the premises that it relates so that it can be readily inspected by any responsible authority immediately upon request.*

*CD17. The duty register shall comprise of a bound, consecutively page-numbered book and the licence holder shall ensure that this register is kept in a secure environment in order to prevent unauthorised access or alterations to same.*

### *Body Worn Video*

*CD18. At times when the venue is operating SIA security, SIA staff shall wear and operate body worn video (BWV) recording equipment at all times.*

*CD19. All incidents of ejections and refusals that escalate to confrontation (either verbal or physical) shall be captured.*

*CD20. The images shall be made available as soon as practicable but at least within 48 hours to the police on request and shall not be handled by a third party (i.e. security contractor).*

*CD21. The equipment shall record high definition colour images and be able to capture sound, specifically conversation.*



- CD22. *The equipment shall be able to operate in all levels of illumination, images shall be time / date stamped.*
- CD23. *The BWV shall be of a similar specification to those currently utilised by Hampshire Constabulary and as such shall be of sufficient quality to produce evidential data.*
- CD24. *There shall be sufficient number of devices and or batteries at the venue to ensure that the devices are able to operate continually when necessary.*
- CD25. *Data obtained on the BWV shall be downloaded and stored in such a way to prevent images being edited or deleted as soon as practicable. Data shall be retained for a minimum of 28 days.*

### Incident Recording

- CD26. *An incident record shall be maintained to record any activity of a violent, criminal or anti-social nature at the premises.*
- CD27. *The record shall contain the time and date, the nature of the incident, the people involved, the action taken and details of the person responsible for the management of the premises at the time of the incident.*
- CD28. *This record shall be produced to any responsible authority upon request.*
- CD29. *This record shall be retained at the premises to which they relate for a period of 12 months.*

### Public Safety

#### Vulnerability

- PS1. *A written policy on how the venue deals with vulnerability shall be implemented and as a minimum shall include the following:*
- *A definition of the different types of vulnerability that may present at the premises.*
  - *How best to communicate with vulnerable people. For example, people who are drunk, people on their own, people behaving aggressively and people who are ill.*
  - *How to safeguard vulnerable people, including information on first aid administration and referral to the ambulance service and police where relevant.*
  - *Best practice for partnering with agencies, such as taxi companies, local authorities and other venues.*
  - *What to do if you sense a vulnerable person is in danger, for example if they leave the venue alone or with people they didn't arrive with.*

## **Public Nuisance**

- PN1. *Provision of a noise management plan to show how noise from the premises, particularly from regulated entertainment and noise from patrons will be controlled.*
- PN2. *Provision of a dispersal policy to show how patrons will be encouraged to leave quietly, including, but not limited to staff training and the provision of signage.*
- PN3. *Whilst music is being played as part of regulated entertainment, the licensee or appointed member of staff shall check periodically that noise levels are acceptable. Such monitoring shall be carried out at the boundary of the premises to ensure that local residents are not likely to be disturbed. A written record of such checks shall be kept for inspection by an Authorised Officer for at least 6 months.*
- PN4. *All doors and windows that are capable of being opened directly to the outside of the premises shall not be kept open whilst the premises are in use for the purposes of regulated entertainment.*
- PN5. *Clear notices will be prominently displayed at the exits of the premises requesting customers leave the premises and the area in a quiet manner and orderly manner.*

## **Protection of Children**

### **Age Verification**

- PC1. *The operator shall ensure that there is a system in place to identify every individual who appears to be under 25 years of age and seeking to purchase or be supplied with age restricted products at or from the premises.*
- PC2. *Those identified shall produce acceptable means of identification and age confirmation.*
- PC3. *Acceptable identification documents shall be either a passport, photo driving licence or PASS accredited photo ID. If the person seeking age restricted products is unable to produce acceptable means of identification, no sale or supply of the products shall be made to or for that person.*
- PC4. *All refusals and challenges shall be documented and held at the venue and made available to any responsible authority upon request.*
- PC5. *Challenge 35 notices will be displayed in prominent positions throughout the premises.*

Refusals

*PC6. A record shall be kept of all refusals to sell or supply any age restricted product.*

*PC7. The record shall be kept and maintained at the premises to which the refusals relate and shall be made available for inspection immediately upon request by any responsible authority.*

*PC8. The record of refusals shall be retained for 12 months.*

Staff Training

*PC9. All staff, regardless of being in paid employment or not, shall receive information and training concerning the sale and supply of age-restricted products.*

*PC10. This training shall cover their legal responsibilities and action to be taken in the event of suspicions being aroused that someone is purchasing or attempting to purchase an item when there are under the legal age to do so.*

*PC11. All staff shall sign an acknowledgement documenting that they have completed this training and have understood their responsibilities.*

*PC12. This training shall be reviewed and updated at reasonable intervals but as a minimum, annually.*

*PC13. All staff shall be fully trained to perform their role. They will also be trained in the contents of the premises licence including times of operation, licensable activities and all conditions.*

*PC14. Training shall be recorded in documentary form that shall be available for immediate inspection at the request of any responsible authority.*

*PC15. The records shall be retained upon the premises that the staff work for a minimum of 12 months.*

## **6. Other Considerations**

### **Council Strategy Outcome (Relevance To:)**

This report relates to the 'Vibrant Local Economy' priority by working with partners and using powers available to us to make Winchester a safe and pleasant place to live, work and visit.

### **Resource Implications**

A statutory licence fee of £190 has been received. It is anticipated that an appropriate level of officer attendance will be provided within the existing budget.

### **Appendices**

1. Application by Wellington Pub Company PLC
2. Representations by Other Persons
3. Location plan with representations

\* required information

## Section 1 of 21

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

### Applicant Business

Is the applicant's business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name  If the applicant's business is registered, use its registered name.

VAT number   Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Your position in the business

*Continued from previous page...*

Home country  The country where the headquarters of your business is located.

**Agent Registered Address** Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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## Section 2 of 21

### PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

#### Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

#### Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

#### Further Details

Telephone number

Non-domestic rateable value of premises (£)

Continued from previous page...

**Section 3 of 21**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of His Majesty's prerogative

**Section 4 of 21**

**NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)



Continued from previous page...

Description of applicant (for example partnership, company, unincorporated association etc)

COMPANY

### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### Contact Details

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality

[Documents that demonstrate entitlement to work in the UK](#)

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

PUBLIC HOUSE

Continued from previous page...

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

**Section 6 of 21**

**PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21**

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the performance of live music take place indoors or outdoors or both?

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

- Indoors       Outdoors       Both

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

CHRISTMAS EVE 11.00 - 01.00  
NEW YEARS EVE 11.00 - 11.00 ON 1ST JANUARY

**Section 11 of 21**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises to  
be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

- Indoors  Outdoors  Both

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Continued from previous page...

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

CHRISTMAS EVE 11.00 - 01.00  
NEW YEARS EVE 11.00 - 11.00 ON 1ST JANUARY

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes                       No

**Section 13 of 21**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes                       No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes                       No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="11:00"/>	End	<input type="text" value="23:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption:

- On the premises       Off the premises       Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

CHRISTMAS EVE 11.00 - 01.00  
NEW YEARS EVE 11.00 - 11.00 ON 1ST JANUARY

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Continued from previous page...

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises to  
be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.



Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

CHRISTMAS EVE 11.00 - 01.30  
NEW YEARS EVE 11.00 - 11.00 ON 1ST JANUARY

## Section 18 of 21

### LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

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

List here steps you will take to promote all four licensing objectives together.

PLEASE SEE PROPOSED OPERATING CONDITIONS

b) The prevention of crime and disorder

PLEASE SEE PROPOSED OPERATING CONDITIONS

c) Public safety

PLEASE SEE PROPOSED OPERATING CONDITIONS

d) The prevention of public nuisance

PLEASE SEE PROPOSED OPERATING CONDITIONS

e) The protection of children from harm

PLEASE SEE PROPOSED OPERATING CONDITIONS

## Section 19 of 21

### NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- ñ does not have the right to live and work in the UK; or
- ñ is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- ñ An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- ñ An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- ñ A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- ñ A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- ñ A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- ñ A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- ñ A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- ñ A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- ñ A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- ñ A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- ñ A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- ñ A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- ñ A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- ñ A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- ñ A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- ñ Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- ñ Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - ñ evidence of the applicant's own identity – such as a passport,
  - ñ evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - ñ evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

*Continued from previous page...*

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

#### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

**Section 20 of 21**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- ñ Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- ñ Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- ñ Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- ñ Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- ñ Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- ñ Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- ñ Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- ñ Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 21 of 21

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

### ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Page 38

Continued from previous page...

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

\* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/winchester/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

Continued from previous page...

THE RISING SUN  
BRIDGE STREET  
WINCHESTER

PROPOSED OPERATING CONDITIONS

1. A CCTV system will be installed and maintained at the premises. Images will be retained for a minimum period of 28 days and copies of footage will be made available to officers of the responsible authorities on request.
2. A Challenge 25 age verification policy will be operated. The only acceptable forms of identification are a passport, photocard driving licence, military identification or any other Home Office approved form of identification.
3. Challenge 25 notices will be displayed in prominent positions throughout the premises.
4. A refusals book or electronic record will be kept at the premises to record all instances where alcohol sales are refused. The details to be retained will be the basis of the refusal, the person making the decision to refuse and the date and time of the refusal. The refusals book/record will be retained at the premises and made available for officers of the responsible authorities on request.
5. An incident/accident book/electronic record will be kept to record any instances of disorder, damage to property and personal injury at the premises. Those records will be made available to officers of the responsible authorities on request.
6. Clear notices will be prominently displayed at the exits of the premises requesting customers leave the premises and the area in a quiet and orderly manner.



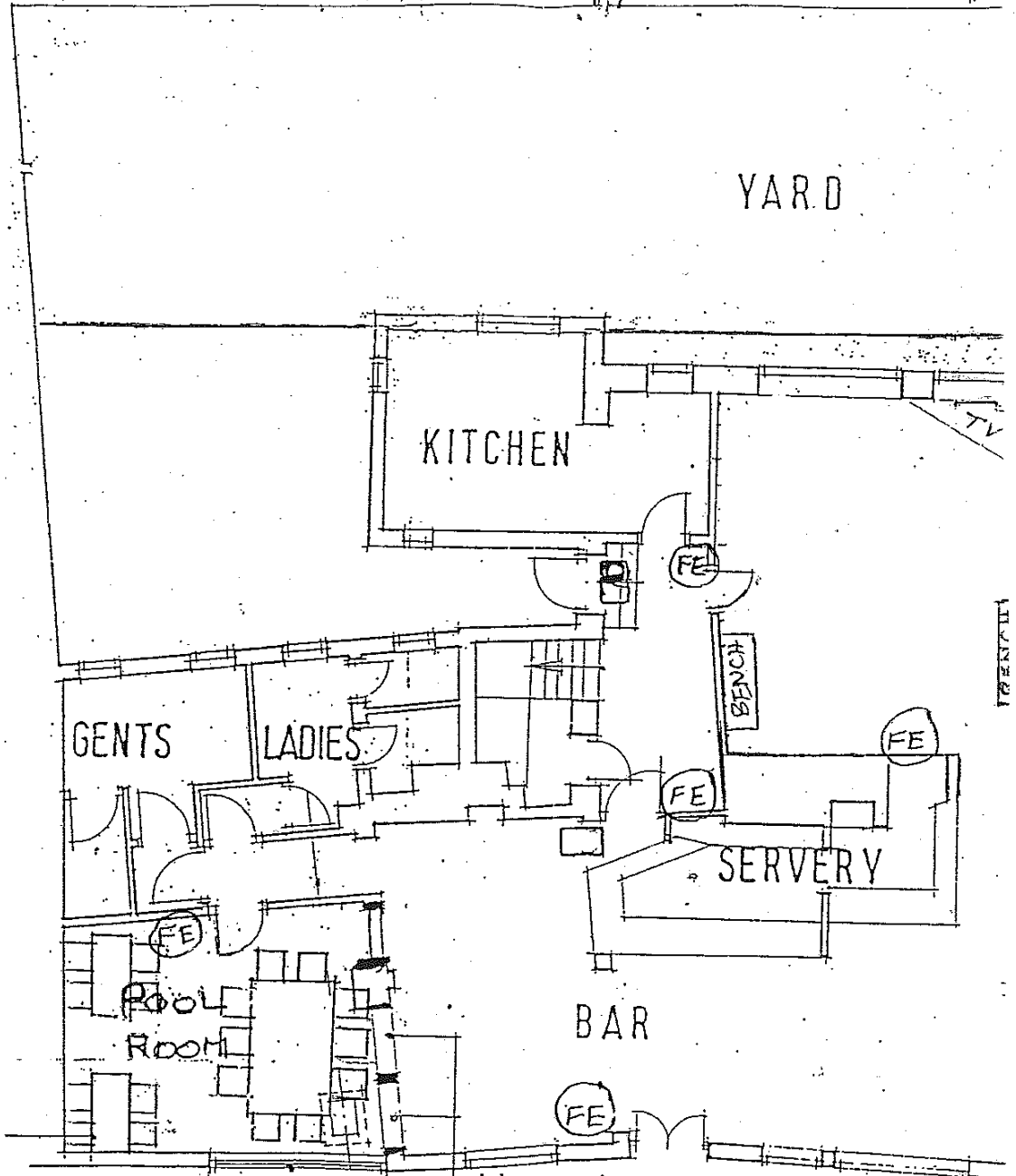
THIS IS  
STATION APPROACH

# THE RISING SUN

14 BRIDGE STREET  
WINCHESTER  
SO23 0HL

EMERGENCY  
REAR EXIT

YARD



THIS IS  
BRIDGE STREET  
ENTRANCE

SCALE 1:100

FE : FIRE  
EXTINGUISHER

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## Appendix 2

### Representations – Other Persons

**Mark Searles**

**7 Bridge Street, Winchester, SO23 0HN, UK**

**Received 12 February 2024**

Objection to granting of a licence to the Rising Sun Pub, 14 Bridge St, Winchester SO23 8HL

Grounds for objection:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

Details:

I am writing as a Director of Cytronex – we are based across the road from the building that was the Rising Sun pub, and we now understand a new licensing application has been made to reopen with live music.

I am writing to object to the granting of a licence due to the very bad experience our business had with this pub, including criminal damage (one example below), disorder with drunks gathering on the council area next to 7 Bridge Street across the road from the pub, using this as a ‘beer garden’ and at times obstructing the ability of customers to get into our shop (or sitting against our display windows), failure to hand over CCTV footage when requested by the police, customers of the pub coming across the road with drinks to the council seating area, one of whom was so drunk a member of our staff had to go outside to place the individual in the recovery position and an ambulance was called!

I had to leave my own birthday weekend in Chester and come back to Winchester as a result of a young couple who had been drinking heavily in the Rising Sun who were allowed to walk across the road with their drinks and sit on the council area next to 7 Bridge Street. They argued and the male threw his beer bottle through one of our very large windows in our shop, smashing the window, something which was all captured on CCTV. The landlord did not cooperate when approached.

I regret to say that the Rising Sun was a very bad neighbour to our business over a number of years and I don’t say that lightly because I fully respect others running a small business, as I do myself. But the fact is that most businesses do not cause problems like this for other businesses, and it cannot be right that I should have to live with the stress of not knowing when I will be called out at night next, or back from holiday as a result of criminal damage, disorder or general public nuisance caused by customers of the Rising Sun.

Please note that whilst I was told today “If the premises licence is granted and you consider that they are not complying with the conditions, you can contact us directly providing details/evidence and we will investigate.”, I complained to licensing several times over the years after various incidents and was told nothing could be done! This is despite the involvement of police.

Please can you keep me informed, we only found out about this from the Hampshire Chronicle, this is also a residential area, and I am sure many of the residents would be very unhappy to find a licence was granted without their knowledge.

Please acknowledge this objection?

Thank you.

Best Regards,  
Mark Searles

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**Received 19 February 2024**

Hi Carol,

I am in receipt of your email below. My experience so far is not giving me confidence that my objection is to be seriously considered or acted upon, which was the same experience of licencing when this pub was operating and causing a real nuisance to us.

How is it possible to make any valid objection to a licence if you cannot do this based on experience! Are we supposed to know the applicant in order to object – nothing else is valid?

As an ex marketing consultant I think it is very clear that the location and the building itself are key factors in the direction this pub business goes and whether it ends up the same as before. Also, I quote from your email of 8<sup>th</sup> February 2024: “The application received is very similar to the premises licence previously granted” – so how are things to end differently this time then?

Regarding your sentence below: “in the main this refers to past issues by the previous licence holder.” – we have been at our current premises for 11 years, whether there was one licence holder I could not say (we certainly encountered more than one person apparently running the pub).

As for the list of conditions – I only have to give the example of the CCTV last time – every time we / the police requested it, they just made another excuse, such as: I can't access the CCTV, the owner is away, I cannot contact him, and so the excuses went on until they said it was too late because they said the video had been written over after 30 days. Also, previous licence holders were bound not to serve drinks to those who are drunk – that made no difference at all (see my colleague's comments about the case where an ambulance was called because one of the customers of the Rising Sun was dangerously drunk). The proposed conditions give us no comfort at all.

We do not want to have to go through the stress we had before with this pub and surely the point of licencing is to regulate pubs in order to ensure that others are not put in this situation?

Thanks,

Mark

**Gregory Konneker and Marion Daniell**  
**1 St Johns St, Winchester SO23 0HF**  
**Received 15 February 2024**

My wife and I would like to submit our comments about the above application. We live at 1 St Johns St, Winchester SO23 0HF. Our apologies for being late in submitting but we were travelling.

We have lived with the previous two incarnations of the pub and are not looking forward to a third.

With the lack of parking, the isolated location away from the town center and in a mostly residential area it is unlikely that any new owner will be able to make it a profitable enterprise.

1) LACK of Parking: There is virtually no street parking available in the area of the pub. This leads to a lot of illegal parking on double yellow lines or parking in private residential car parking areas or park without a parking permit for the area. People have regularly been seen to illegally park in all of these areas during the opening hours of the pub. A surprising number park for several hours and then come out of the pub and get into their cars after obviously having had more than one or two pints. Considering the area is infrequently patrolled by police or parking monitors who could issue tickets and have the cars towed, we the local residents are left without parking spaces and/or have our private parking spaces filled with cars without any ability to find out who owns the car to have them moved. The new pub owners are not going to be able to solve the issues any more than the previous owners have been

2) EXTENDED opening hours: It was bad enough with the prior two incarnations of the pub being open with what was considered "reasonable" hours without having the new pub want to extend the hours until even later into the night during the year and then virtually all night on a couple of holidays.

Due to the clientele that the pub previously attracted and will probably attract going forward, it was a rare night that the residential neighbors weren't subjected to loud, foul-mouthed, inebriated patrons coming out of the pub (especially at closing time) and carrying on their loud arguments, disagreements, in the streets around the pub. In the warm weather when the residents have their windows open, you can't sleep because of the noise these people make. It's marginally quieter in the winter when the windows are closed but you can still be woken up when people are yelling at the top of their voices right outside your house. Of course, there is little or no police presence in the area to encourage the patrons to keep their voices low and prevent fights from taking place.

3) Illegal activity: The prior two incarnations of the pub seemed to attract the kind of clientele that wanted to deal in drugs and to have physical altercations out in the streets in front of the pub.

Without increased police patrols, there is every expectation that the same types of activity will be taking place after the new pub opens. This puts the local resident's safety and property at risk without being able to do anything about it until after the fact.

4) Noise: We've had problems with the pub playing music (both live and recorded) and it cannot be muted enough even with the windows closed to not disturb the local

residents several hundred meters away. It's marginally better if the pub closes its windows on the street side, but if they have music in their garden then I feel sorry for the residents around the garden because we who live on the street side cannot have our windows open if we want to watch tv or have friends over to have a conversation in our house or garden. To think that they want to keep the pub open even later into the night makes the situation even worse to contemplate.

Sincerely,  
Gregory Konneker  
Marion Daniell

**Bill Gunyon**  
**4 St Johns Street, Winchester, SO23 0HF**  
**Received 17 February 2024**

I'm a close neighbour of this premises.

I request that any new licence contains conditions that head off the public nuisance linked with the Rising Sun that has been endured over a long period by the densely residential area in and around St John's Street.

Successive tenants have largely managed this premises as a "wet pub" serving discounted beer and loud music. The site is cramped and customers tend to spill out across the road into the designated amenity area (maintained by the Council) at the corner of our street. This is our pedestrian route into the City and behaviour has often been intimidating, especially to younger and older residents.

The premises has never been suitable as a music venue, from a neighbourhood perspective. Even an open window will project the sound to the top of St John's Street. The internal layout and age of the property are likely to impede contemporary standards of sound-proofing of music venues.

I've lived here for over 40 years and, to the best of my recollection, none of the various tenants have been able to control these problems. Over this period, all four of your licensing objectives have been transgressed, with varying degree and frequency. I'm confident that your own record of complaints will bear this out.

I'm a regular pub-goer and will be pleased to take advantage of such a convenient local establishment, provided any new licence can put an end to the negative local association with the premises.

--

Bill Gunyon  
4, St.John's Street  
Winchester SO23 0HF

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**Received 21 February 2024**

dear Carol - I have no problem with circulations of my comments.

All these proposed conditions will be helpful but there's a relevant point of clarification to offer.

The problem of customer behaviour outside the premises is not limited to when they "leave". It's more to do with temporary exits for smoking or hanging out, with or without drinks. I can't remember whether there's a suitable space at the back of the premises. The front is almost totally unsuitable for this purpose - possibly the major cause of unease for those households who have written to you.

Another leverage not mentioned is the opening hours. The hours requested in the application are obviously inappropriate in a residential area and heighten our concerns.

---

Bill Gunyon  
4, St.John's Street  
Winchester SO23 0HF  
[REDACTED]

**Libby Hayes**  
**11 St Johns Street, Winchester, SO23 0HF**  
**Received 18 February 2024**

Dear Sir/Madam

I am writing to express concern for the licensing application presented for The Rising Sun, 14 Bridge Street Winchester.

The premises is surrounded by residential accommodation and the late license application for alcohol (on and off license) and music until the times requested on the application will be impactful for those living nearby whilst the business is open and during the dispersal of customers after the business has closed.

Previously the venue had had multiple issues of public nuisance and disorder culminating in street fights, broken glass and bottles strewn across the adjoining residential streets.

I would hope that the upmost consideration will be given to the impact on residents and a review of the times requested will be taken.

Your Sincerely  
Libby Hayes  
11 St Johns Street



**Victoria Lefevre and John Weatherall**  
**64 St John's Street, Winchester, SO23 0HF**  
**Received 19 February 2024**

Dear Sirs

Having reviewed the application by Wellington Pub Company PLC for The Rising Sun, my partner and I wish to set out our representations in respect of the following licensing objectives:

1. The prevention of crime and disorder
2. The prevention of public nuisance

We are specifically concerned that the licensing hours are extended beyond the opening hours that the pub had under previous ownership. Before the pub closed we experienced the following issues:

- Loud music could be heard at the end of St Johns Street closest to the pub leading to disturbed sleep. Some of our neighbours have small children who have been woken up by the noise.
- Patrons of the pub used the seating area outside the cycle shop at the end of St Johns Street as a smoking area. Upon walking past residents of the street were often subject to rude/abusive comments and the strong smell of marijuana and loud inebriated discussions created additional public disturbances.
- Patrons of the pub used St Johns Street as a cut-through at closing time shouting and creating a public nuisance.
- We are aware that the police were called on numerous occasions to deal with disorder around closing time.

We are seriously concerned that the above issues will be repeated if the pub is to reopen and the extended opening hours provide even greater concern that disturbance will be created later at night and into the early hours of the morning. This is a residential area and the opening hours requested lead us to believe that the pub intends to market itself to late night partygoers.

We appreciate your serious consideration of these representations and look forward to a response in due course.

Kind regards

Victoria Lefevre and John Weatherall, 64 St John's Street

**Colin Webster**  
**62 St Johns Street, Winchester, SO23 0HF**  
**Received 26 February 2024**

Dear Members of the Licensing Sub-committee,

Re: Music and alcohol licences for,

The Rising Sun  
14 Bridge Street  
Winchester  
SO23 0HL

Re: the licensable activities and their effect on the prevention of public nuisance in the neighbourhood.

The lateness of the proposed drinking hours leads to the greater likelihood of excess noise in the neighbourhood from drinkers and tobacco smokers leading up to and after closing time. It's neither joke nor joy to be kept awake in the early hours.

As the pub with the latest closing time in the neighbourhood, (including 0130 on Friday and Saturday), it would run the risk of becoming a last port of call for a nightcap for those on their way home.

The offer of alcohol for consumption off the premises could lead to even later drinking in the open space at the corner of Bridge and St John's Streets. The fact that the licensee has done nothing to encourage such behaviour does nothing to alleviate this problem.

The application for round-the-clock activity at Christmas and New Year is surely a matter that should wait until nearer the time, when the effect of the pub's activities up to that time can be considered.

Live and Recorded Music can be played at quite a few levels of loudness. Will there be restrictions on the number of decibels that allow neighbours a good night's sleep? Repetitive four beats in the bar carry a long way and can annoy as much as anything you might care to mention.

The Conditions that have been agreed between the applicant and Environmental Protection include two highly debatable points which, if clarified, may give helpful advice to those judging this application, viz -

*'1. Provision of a noise management plan to show how noise from the premises, particularly from regulated entertainment and noise from patrons **will be controlled.**'*  
In what way? At what level of noise? In whose judgement?

*'2. Whilst music is being played as part of regulated entertainment, the licensee or appointed member of staff shall check periodically that noise levels **are acceptable.**'*  
Acceptable to whom?

Accordingly, I want to express my objection to this application on the grounds of the prevention of public nuisance.

Yours faithfully,

C L Webster

26 February 2024

63 St John's Street  
Winchester  
SO23 0HF

**Sarah Culverhouse**  
**66 St Johns Street, Winchester, SO23 0HF**  
**Received 26 February 2024**

Hello Carol, I am not sure why my earlier objection was not valid or what further information you required. These are my objections once again.

The lateness of the proposed drinking hours leads to the greater likelihood of excess noise in the neighbourhood from drinkers and tobacco smokers leading up to and after closing times. The proposed closing times put at risk the disturbance of peoples' sleep at these extremely late hours.

The late closing hours would also make the pub a destination for people as a last drink on the way home. The cheap price of alcohol means the pub will almost certainly attract a clientele who will use St John's Street as a cut through to one of the city's council estates, this increases the likelihood of intoxicated people shouting at each other in the early hours as they walk home and waking up residents.

The offer of alcohol for consumption off the premises could lead to even later drinking in the seating area at the corner of Bridge and St John's Street. This also could lead to fighting and other anti-social behaviour such as drug taking. We very much doubt the Licensor will care about what his customers get up to once they are off his property and that a dispersal policy will only cover them walking through the door.

Regards

Sarah

--

**Sarah Culverhouse**  
**[REDACTED]**

**Samantha Price**  
**C/O Cytronex, 7 Bridge Street, Winchester, SO23 0HN**  
**Initial representation received 12 February 2024**

Dear Carol following your email this is the representation I wish to make openly to the Hearing via my written comments below, which I have modified, please confirm receipt and that this will be put forward

My details are ( I assume my work and not home address is divulged?)  
Samantha Price  
c/o Cytronex  
7 Bridge Street  
Winchester SO23 0HN

I am the member of staff referred to by Mark Searles in his objection, in the incident I have described below. I wish to add my strong opposition to the reopening of the Rising Sun. I am the Operations Manager at Cytronex, and happen to have a medical background. A couple of Summers ago I had to dash out of our business to help with emergency 'first aid' when I spotted an inebriated individual who was lying on his back virtually unconscious on one of the benches on the pavement area outside our shop, surrounded by a rowdy group of friends who were also completely drunk, and doing little to nothing to help him. It is no exaggeration to say that a common cause of death in these situations is inhaling one's own vomit, and had I not ordered his mates to help me lift him onto the ground and put him in recovery position then this could easily have been the outcome. I took charge of the situation and ordered them to keep him talking to retain consciousness and also to call 999. They protested as they said his wife wouldn't be happy that he's been out to the pub with his mates (presumably instead of working – it was midweek!) but I said that I was sure that his wife would prefer to see him in hospital rather than not at all. Given that he was literally a few steps from the door of the pub where he and his friends had been drinking I can only assume that the publican must have continued serving someone who was clearly drunk, which I believe is irresponsible given what could have been a tragic consequence. Apart from this incident there were regular 'groups' of drunk customers who use the public space outside the Cytronex shop as a beer garden in the warmer months, and their presence can be intimidating to customers coming into the shop. On many occasions there would be customers sitting on the paved area facing the pub but with their backs on our building and obstructing the view of our windows to passing trade. Drunk groups out there could also be lairy and generally offputting to customers for the shop some of whom are elderly.

On one occasion my younger colleague did not leave work on time as he watched with horror as a fight broke out between two customers who'd left the pub, he hid upstairs in the building until they had gone. Excess alcohol is well recognised as a contributor to violent behaviour.

If this pub is reopened again, then clearly there should be a restriction on drinking alcohol only on the premises, and firmer controls on service of alcohol to already drunk customers for fear of injury to themselves or others.

Furthermore, I am the member of staff who repeatedly went in and also spoke to the landlord on a number of occasions after all our breakins and attempted breakins we suffered last year, and they were entirely unhelpful and making excuses all the time even though I could clearly see in their bank of cameras behind the bar that their camera 5 pointed directly at our building and would have captured relevant images. On the last occasion I went in to ask I was told 'sorry the images are

wiped after 14 days' – I was furious as you might imagine as they had just fobbed me off and previously said it was 30 days. The police seemed powerless to persuade them to help the criminal investigation. Perhaps, if you do decide to grant a new licence an OBLIGATION to co-operate with police requests can be made.

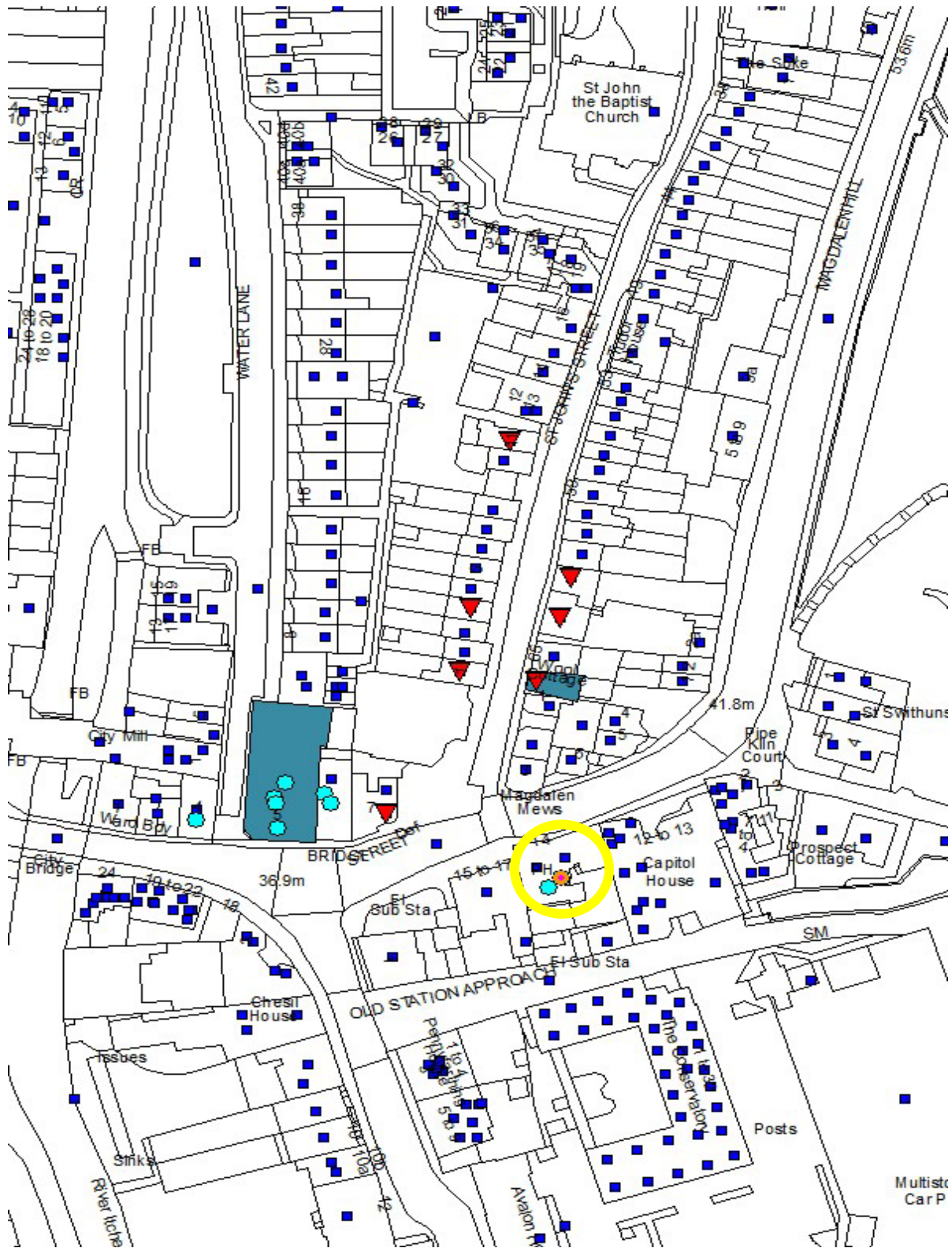
The Rising Sun has been a nightmare for the 11 years we have been here. I can see no evidence that prior publicans have adhered to the professional standards of conduct inherent with holding a licence to serve alcohol. This pub failed before under similar licensing conditions over many years, and it's 'positioning' and appearance is specifically about attracting customers with music and cheap drinks and serving customers when they shouldn't. We can only expect more of the same if another licence is granted. We also notice that the list of proposed conditions sent by the applicant bears a striking resemblance to the issues we had, indicating they know well what the problems at this location are.

The suggestion that we can complain if problems continue gives us no confidence, and so the only recourse if another licence is issued is to put in specific caveats to the licence to reduce the risk of the antisocial behaviour described.

Sincerely

Samantha Price

# Appendix 3 Location of premises with addresses of Other Persons



Premises



Location of Other Persons

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