

## 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.

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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.

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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

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**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