

Notice of Meeting



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Licensing Sub-Committee

Tuesday, 16 April, 2024 at 10.00 am

in Council Chamber, Council Offices,
Market Street, Newbury

Members Interests

Note: If you consider you may have an interest in any Application included on this agenda then please seek early advice from the appropriate officers.

Date of despatch of Agenda: Monday, 8 April 2024

FURTHER INFORMATION FOR MEMBERS OF THE PUBLIC

If you require further information about this Agenda, or to inspect any background documents mentioned in the reports, please contact Ben Ryan (Democratic Services Officer).via email benjamin.ryan1@westberks.gov.uk

Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



To: Councillors Paul Dick, Nigel Foot and Paul Kander

Substitute: Councillor Billy Drummond

Agenda

Part I

Page No.

1 **Declarations of Interest**

To receive any declarations of interest from Members.

2 **Schedule of Licensing Applications**

(1) **Application No. 23636 - Hungerford Park Estate, Hungerford Park, Hungerford, West Berkshire, RG17 0UU**

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Proposal: To set out the background information pertaining to this Licensing Application.

Location: Hungerford Park Estate, Hungerford Park, Hungerford, West Berkshire, RG17 0UU

Applicant: Hungerford Park Limited

Sarah Clarke.

Sarah Clarke
Service Director: Strategy and Governance

If you require this information in a different format or translation, please contact Ben Ryan on telephone (01635) 503973.



Licensing Sub-Committee Report

Hungerford Park Estate, Hungerford Park, Hungerford, West Berkshire, RG17 0UU (Application Number 23636)

Type of Application:	New Premises Licence
Town Council:	Hungerford Town Council
Ward Members:	Councillor Dennis Benneyworth, Councillor Denise Gaines, Councillor Tony Vickers.
Case Officer:	Riley Timney, Licensing Officer
Portfolio Holder:	Councillor Lee Dillon
Service Director:	Clare Lawrence

1. Purpose of the Report

- 1.1. To set out the background information pertaining to this Licensing Application.

2. Recommendation to Licensing Sub-Committee

- 2.1. Options available to Members are to:-

- (a) Grant the application for a premises licence subject to such conditions as are consistent with the operating schedule accompanying the application and to decide whether to modify any of those conditions to such extent as is considered appropriate for the promotion of the licensing objectives and subject to any mandatory condition.
- (b) Refuse to specify a person in the licence as the Designated Premises Supervisor.
- (c) Exclude from the licence any of the licensable activities to which the application relates.
- (d) Reject the application for a premises licence.

Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.

3. Introduction and Background

- 3.1. On 16 January 2024, an application was received by the Council on behalf of Hungerford Park Limited, Shepherds Cottage, Hungerford Park, Berkshire, RG17 0UU, for a new premises licence under the Licencing Act 2003 in respect of Hungerford Park Estate, Hungerford Park, Hungerford, West Berkshire, RG17 0UU.
- 3.2. The application was validated on 16 January 2024 and the consultation process began on 17 January 2024 and ran until 14 February 2024.

- 3.3. A hearing was arranged on the 12th March 2024, in accordance with Schedule 1 of The Licencing Act 2003 (Hearings) Regulations 2005. On the 26th February 2024, Mr Stewart Gibson, the Applicant's Agent, contacted the Licencing Authority to request the hearing be adjourned as he was no longer able to attend due to unforeseen personal circumstances.
- 3.4. The Licencing Authority, having considered Mr Gibson's application, was satisfied that it was in the public interest to extend the time by which the hearing had to be arranged to the 16th April 2024. The hearing was then arranged on that date, as it was necessary for the Authority's consideration of the Applicant's representations. All parties were notified on the 28 February 2024 of the new hearing date and time, and of the reason for the postponement. This was done in compliance with Regulations 11 and 12 of The Licensing Act 2003 (Hearings) Regulations 2005.
- 3.5. Members of the Licensing Sub-Committee are asked to determine the application as the Licensing Authority has received representations stating that the grant of this application would undermine the prevention of crime and disorder, the prevention of public nuisance, public safety and/or the protection of children from harm licensing objectives.
- 3.6. The Licensing Authority may only consider aspects relevant to the application that have been raised in these representations.
- 3.7. Members of the Licensing Sub-Committee are requested to determine the application having regard to the operating schedule, representations received, the Councils Statement of Licensing Policy, revised guidance issued under Section 182 of the Licensing Act 2003 and the four licensing objectives.
- 3.8. An authorisation is required in respect of any premises where it is intended to conduct one or more of the licensable activities, these being:
 - (a) Sale of alcohol
 - (b) Supply of alcohol (in respect of a club)
 - (c) Regulated Entertainment
 - (d) Provision of Late Night Refreshment

An appropriate authorisation is either, a premises licence, a club premises certificate, or a Temporary Event Notice.

- 3.9. Licence holders are required, when offering any licensable activity, to ensure that they promote the licensing objectives at all times. The operating schedule of the application contains detail of all the activities applied for and the control measures that the applicant will have in place in order to promote these objectives. Such measures will, where appropriate be converted into enforceable conditions on any licence issued.

The four licensing objectives are:

- (a) Prevention of crime and disorder
- (b) Prevention of public nuisance
- (c) Public Safety
- (d) Protection of children from harm.

No licensing objective carries any more weight than any other and these are the only factors in which licensing can have regard in determining an application.

- 3.10. Where representations have been received from a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Licensing Act 2003 requires that these applications should be determined by the Licensing Authority's Licensing Committee. The Licensing Act 2003 allows for applications such as this one to be delegated to a Sub-Committee. In accordance with those rules, the Scheme of

Delegation set out in the Council's Constitution states that the Licensing Sub-Committee has responsibility for dealing with this application.

4. Summary of Application sought.

4.1. The Licensing Authority received an application on 16 January 2024 from Hungerford Park Limited seeking a new premises licence under the Licensing Act 2003 for Hungerford Park Estate, Hungerford Park, Hungerford, West Berkshire, RG17 0UU. This application is recorded under reference 23636. A copy of the application is attached as **Appendix 1** and the plan of the premises is attached as **Appendix 2**. The details of the Designated Premises Supervisor is attached as **Appendix 3**.

4.2. The application seeks a premises licence to permit the following licensable activities:-

Supply of Alcohol:

Monday – Sunday 07:00hrs – 00:00hrs – On and off the premises

Live Music:

Monday – Sunday 23:00 – 00:00 – Indoors and Outdoors

Recorded Music:

Monday – Sunday 23:00 – 00:00 – Indoors and Outdoors

Late Night Refreshment:

Monday – Sunday 23:00 – 00:00 – Indoors and Outdoors

5. Background information

5.1. Hungerford Park Estate is situated to the southeast of Hungerford, approximately 2 miles from the centre. It is a large farm estate incorporating gardens, woodland, farmland, and cider orchards.

5.2. Hungerford Park previously held a premises licence under the trading name International Wine Limited, Cider Barn, Hungerford Park, Hungerford, RG17 0UP. This licence was granted on 29 July 2020 and was for the supply of alcohol off the premises only, during the hours of 08:00hrs to 19:00hrs. The licence states that the business was mainly selling alcohol through their website and as a wholesaler. This licence was surrendered on 4 September 2023.

5.3. The current application seeks to licence the venue for the sale of alcohol, late night refreshment, and regulated entertainment – live music and recorded music. There are several different areas within Hungerford Park where the proposed licensable activities will take place.

5.4. Cider Barn – a cider production business, where cider will be made and sold and cider tasting will take place. Proposed opening hours 07:00hrs – 22:00hrs Monday to Sunday.

5.5. The Fungi Club and Berkshire Trout. The Fungi club will operate as a café/restaurant/retail environment. Proposed opening hours 07:00hrs – 22:00hrs Monday to Sunday. Berkshire Trout is a kitchen area only for food preparation.

5.6. Spirit Barn and Tap Room - cider/spirit/vinegar tastings will take place, there will be a cider and spirit bar, as well as on site and online sales. Proposed opening hours 07:00hrs – 22:00hrs Monday to Sunday.

- 5.7. Walled garden where there will be a licensed café which will operate throughout the year, proposed opening hours 11:30hrs – 00:00 hrs Wednesday to Saturday. There is also the intention to hold events in this space, for example weddings. The proposed openings times for this area is 11.30hrs – 00:00hrs Monday – Sunday.
- 5.8. The applicant has provided additional conditions to the mandatory conditions in their application for a premises licence.

6. Consultation

- 6.1. The 28-day consultation period ran from 17 January 2024 to 14 February 2024. Responsible Authorities, Ward Members and Hungerford Town Council were advised by email on the 17 January 2024. The application has been advertised in accordance with the regulations, with the required blue notices being placed at the premises, which were checked by an officer from the Public Protection Partnership. An advertisement for this application was also placed in the Newbury Weekly News on 25 January 2024.
- 6.2. A total of 8 representations were received, however 2 representations were out of time, received on 16 February 2024 and 22 February 2024, so could not be included in this hearing. The 6 valid representations are attached at **Appendix 4**.

7. Responses Received

Fire Authority – Response received – no objections.

The Chief Officer of Police Thames Valley – Mediation took place with the applicant regarding additional conditions. Conditions were agreed and an email was received on 8 February 2024 stating that TVP have no objections (**Appendix 5**).

Environmental Health – Mediation took place with the applicant regarding additional conditions. Conditions were agreed and an email confirming this was received on 7 February 2024 (**Appendix 5**).

The Local Enforcement Agency for the Health and Safety at work etc. Act 1974 – Response received – no objections

Trading Standards – Response received – no objections.

Children’s Safeguarding Board – None received.

Public Health – None received.

Home Office Immigration – None received.

Planning – None received.

The Licensing Authority – None received.

8. Summary of Relevant Representations

- 8.1. The 6 representations received within the consultation period objecting to the application believe that the granting of the licence would undermine the licensing objectives. Some of the main concerns of the objectors are risks associated with increased traffic – road safety and air pollution, risk of noise nuisance, the safety of the properties near to Hungerford Park, and increased likelihood of crime and disorder from intoxicated people.

9. Options

- 9.1. The Home Office's Revised Guidance issued under section 182 of the Licensing Act 2003 (August 2023) must be considered when determining this Application.
- 9.2. Members are asked to consider, after taking the representations both oral and written into account, and having due regard to the licensing objectives, whether the application for the Premises Licence should be granted or rejected. Members will need to give reasons for their decision.
- 9.3. If members are minded to approve the application they need to consider any additional conditions, other than those contained in the operating schedule, and any relevant mandatory conditions in ss19-21 of the Licensing Act 2003. Modification of conditions includes adding, omitting or altering a condition.
- 9.4. If members are minded to include any additional conditions they will need to provide their reasons for doing so in the decision notice.

Background Papers: Relevant Legislation

- (1) The Licensing Act 2003
 - (2) Appropriate Regulations including but not limited to The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005, The Licensing Act 2003 (Hearings) Regulations 2005 and The Licensing Act 2003 (Hearings) (Amendment) Regulations 2005
 - (3) Statutory Revised Guidance issued under section 182 of the Licensing Act 2003
 - (4) The Council's Statement of Licensing Policy Licensing Act 2003
 - (5) The Council's Constitution
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10. Appendices

- Appendix 1 – Application
- Appendix 2 – Plan
- Appendix 3 – Designated Premises Supervisor details
- Appendix 4 – Representations objecting to the application.
- Appendix 5 – Representations from Responsible Authority

Person to Contact: Riley Timney
Email: Riley.Timney1@Westberks.gov.uk

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**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Hungerford Park Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
Hungerford Park Hungerford Berkshire RG17 0UU			
Post town	Hungerford	Postcode	RG17 0UU

Telephone number at premises (if any)	██████████
Non-domestic rateable value of premises	£6700

Part 2 - Applicant details

Please state whether you are applying for a premises licence as Please tick as appropriate

- | | | |
|--|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |

- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input type="checkbox"/>	Please tick yes
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
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Surname		First names	
Date of birth over		I am 18 years old or	<input type="checkbox"/> Please tick yes
Nationality			
Current residential address if different from premises address			
Post town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

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

Name	Hungerford Park Limited
Address	██████████ ██████████ ██████████ RG17 0██████
Registered number (where applicable)	03081314
Description of applicant (for example, partnership, company, unincorporated association etc.)	Private Limited Company
Telephone number (if any)	██████████
E-mail address (optional)	██████████

Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY			
0	1	0	2	2	0	2	4

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY			

Please give a general description of the premises (please read guidance note 1)

The premises licence is to encompass a range of licensable activity taking place on Hungerford Park, all contained within the one premises licence for Hungerford Park.

Cider Barn – Cider production business, using the estate grown apples to produce premium quality cider, sold locally as well as further afield. Cider tastings will be arranged from time to time. This part of the business requires on and off sales, as well as online sales.

This building also contains Fungi Club and Berkshire Trout – The Fungi Club offers licensed dining within café/restaurant/retail shop environment. Berkshire Trout is a kitchen only operation with food prep only from this site.

The outside courtyard area in this location will be used to provide food and drink from ourselves and the other food businesses in the forecourt/yard area – roughly marked in red on the second attached yard plan - on a pop-up basis.

Spirit Barn – Apple Spirit production business, as well as Cider Vinegar production business, using the estate produced cider to create artisanal spirits and vinegars. Spirit tastings, on and off sales, as well as online sales are requested..

Tap Room/Tasting Room will be situated in this building, cider/spirit/vinegar tastings, cider/spirit/vinegar on and off sales, cider/spirit bar style consumption, as well as cider/spirit/vinegar online sales are requested.

Walled Garden – licensed café style refreshments throughout the year (on and off trade) from our estate grown produce, as well as licensed event/wedding venue. When events/weddings are held the premises licence is to extend until 00:00, with the premises closed at 00:30. At all other times the licensable activity will cease at 23:30 hours, with the venue closed at 00:00

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

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input checked="" type="checkbox"/>
Mon	23:00	00:00	<u>Please give further details here</u> (please read guidance note 4) To allow the performance of live music, if required, when weddings or events are being held only at the Walled Garden		
Tue	23:00	00:00			
Wed	23:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5) n/a		
Thur	23:00	00:00			
Fri	23:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat	23:00	00:00			
Sun	23:00	00:00			

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) To allow the performance of recorded music, if required, when weddings or events are being held only at the Walled Garden		
Mon	23:00	00:00			
			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Tue	23:00	00:00			
			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Wed	23:00	00:00			
Thur	23:00	00:00			
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun	23:00	00:00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Indoors <input type="checkbox"/>
Day	Start	Finish	
Mon			Both <input type="checkbox"/>
Tue			
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)
Thur			
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Sat			
Sun			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

I

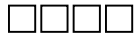
Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) To allow the sale of hot food and drink to continue beyond 23:00 hours until the terminal hour for weddings and events held at the Walled Garden		
Mon	23:00	00:00			
Tue	23:00	00:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Wed	23:00	00:00			
Thur	23:00	00:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) n/a		
Mon	07:00	00:00			
Tue	07:00	00:00			
Wed	07:00	00:00			
Thur	07:00	00:00			
Fri	07:00	00:00			
Sat	07:00	00:00			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
			Cider Barn 07:00 to 22:00 Monday to Sunday Spirit Barn/ Tap Room 07:00 to 22:00 Monday to Sunday Fungi Club, Café/ Restaurant 07:00 to 22:00 Monday to Sunday. Walled Garden 11:30 to 23:30 Wednesday to Saturday everyday trading. Walled Garden Weddings/Events 11:30 to 00:00 as required. The terminal hour of 00:00 will only be used for weddings/ events, which could fall on any day of the week.		
Sun	07:00	00:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name: Charles Toby Hunter	
Date of birth [REDACTED]	
Address [REDACTED] [REDACTED] Hungerford Berkshire	
Postcode	RG17 0[REDACTED]
Personal licence number (if known) 020397	
Issuing licensing authority (if known) West Berkshire	



K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).
n/a

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5) n/a
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6) Cider Barn 07:00 to 22:30 Monday to Sunday Spirit Barn/ Tap Room 07:00 to 22:30 Monday to Sunday Fungi Club,Café/ Restaurant 07:00 to 22:30 Monday to Sunday. Walled Garden 11:30 to 00:00 Wednesday to Saturday everyday trading. Walled Garden Weddings/Events 11:30 to 00:30 as required. The terminal hour of 00:30 will only be used for weddings/ events, which could fall on any day of the week.
Mon	07:00	00:30	
Tue	07:00	00:30	
Wed	07:00	00:30	
Thur	07:00	00:30	
Fri	07:00	00:30	
Sat	07:00	00:30	
Sun	07:00	00:30	

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection.

The premises will close to the public 30 minutes after all licensable activities cease.

b) The prevention of crime and disorder

CCTV will be used at the premises at the pay points for all licensable areas and generally in the areas where alcohol is to be consumed. It shall be to an appropriate standard as agreed with the Licensing Authority in consultation with the Police. All of the licensable area will be covered by CCTV.

The CCTV equipment shall be maintained in good working order and continually record when licensable activity takes place and for a period of two hours afterwards.

The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority. The correct time and date will be generated onto both the recording and the real time image screen.

Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay.

The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable.

There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours.

The DPS will keep an up to date DPS Authorisation sheet which will show the list of staff members who have been given the authority to sell alcohol on the premises.

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly defuse the situation without risk to customer or staff, then they are instructed to call the police.

All relevant fire procedures are in place for a premises of this size.

An in house accident book will be in operation to record any accident/ injury incurred on the premises. This document will be retained for inspection by the store for a period of three years.

d) The prevention of public nuisance

Customers will be reminded by way of a notice at the entrance/ exit door to please leave the premises quietly and have consideration for the neighbouring properties.

- All events/ weddings will cease at 24:00 hours with events beginning to wind down from 23:30, by way of softening of the music, both in volume and style, and repeated instructions from the DJ on how best to leave the premises, having full regard for neighbouring residents.
- External monitoring of noise levels to be carried out at hourly intervals at all events, at all noise sensitive areas of the property. Findings to be recorded and signed for all checks. These checks to be kept for 6 months for inspection by EH or other officers of the council.
- All speakers would be positioned as to point away from residential properties.
- Speakers will be located as far away as possible from noise sensitive areas.
- Parking Marshal(s) to be employed at events according to the individual risk assessment for that particular event.
- Winding down procedure to include instruction from the DJ to remind guests to leave the premises quietly, as directed by the marshals, (if applicable).
- Guests also reminded the use of car stereos is prohibited until the car is well away from the venue.
- CCTV will cover the parking area to identify any unruly behaviour in relation to noise by the leaving guests.
- Responsible taxi companies to be put on standby at events to transport guests away from the premises quickly and quietly.

e) The protection of children from harm

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram or military ID).

Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale. Challenge 25 POS will be on display in all areas where alcohol is to be sold.

If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused.

All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

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

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.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing
--------------------	--

	work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	Stewart Gibson
Date	03/01/2024
Capacity	Licence Agent

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Stewart Gibson			
SG Licensing Ltd			
██████████			
██████████			
Lincolnshire			
Post town	Lincolnshire	Postcode	NG31 8████
Telephone number (if any)	██████████		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
██████████			

Notes for Guidance

1. Describe 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.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - 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.
 - 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.

- 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.
- Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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.
- Recorded Music: no licence permission is required for:
 - 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.
 - 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.
 - 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.
- 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.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and

- 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please 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.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please 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 or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

15. 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:

- does not have the right to live and work in the UK; or
- 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 by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- 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].

- 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.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- 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.
- 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.
- 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.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **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.
- 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.
- 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.
- 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.
- 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.
- 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.

- 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.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, 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.
- 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.
- 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:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - 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.

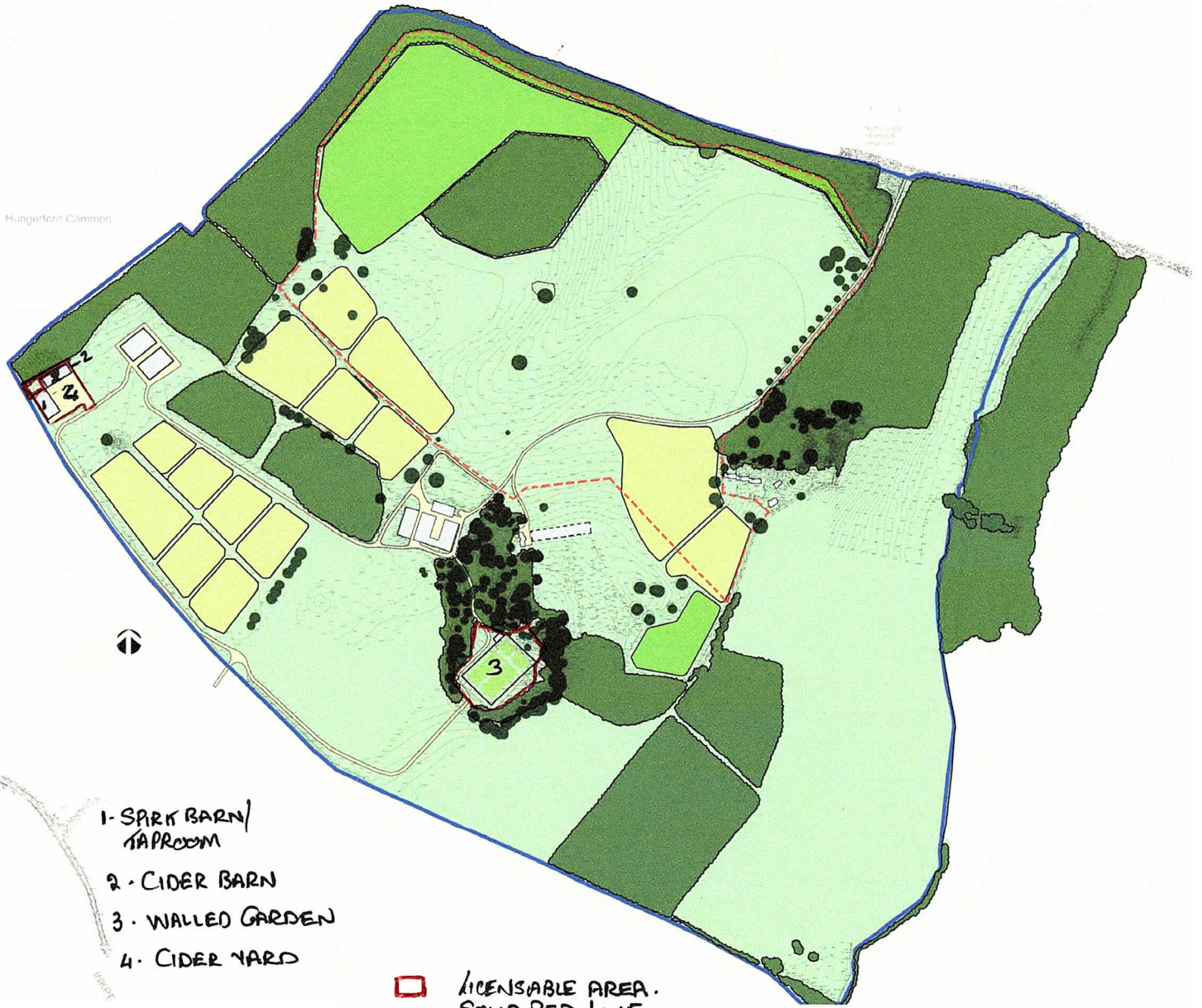
If the document is not a passport, a copy of the whole document should be provided.

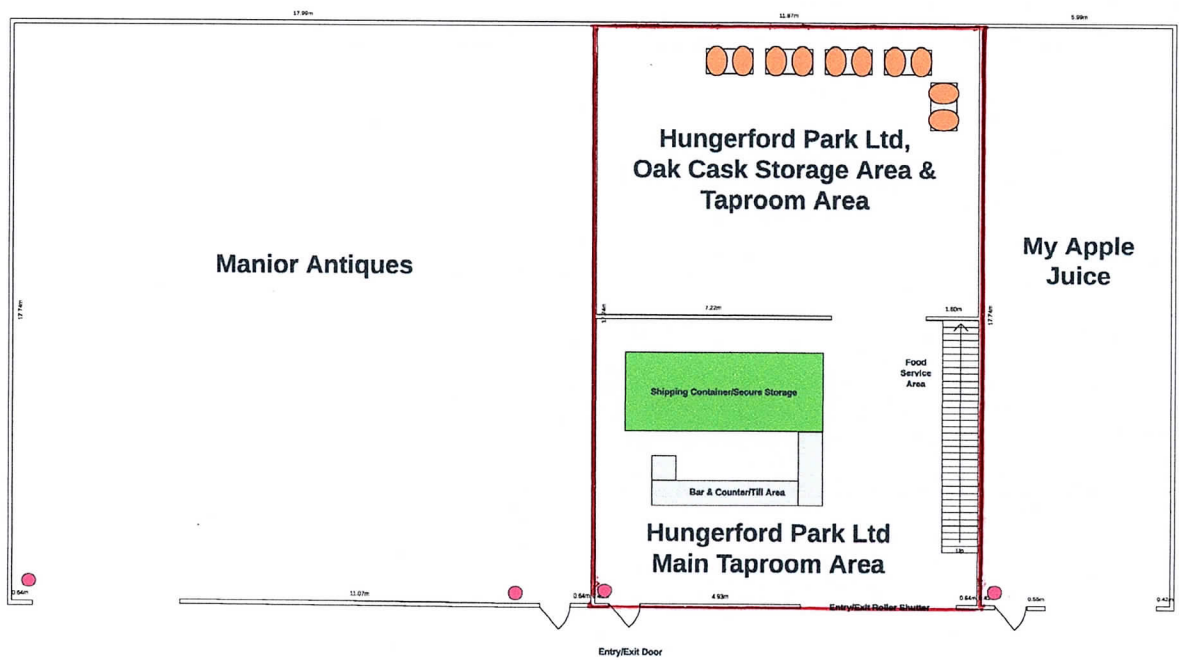
Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information

with the Home Office. Your licence application will not be determined until you have complied with this guidance.

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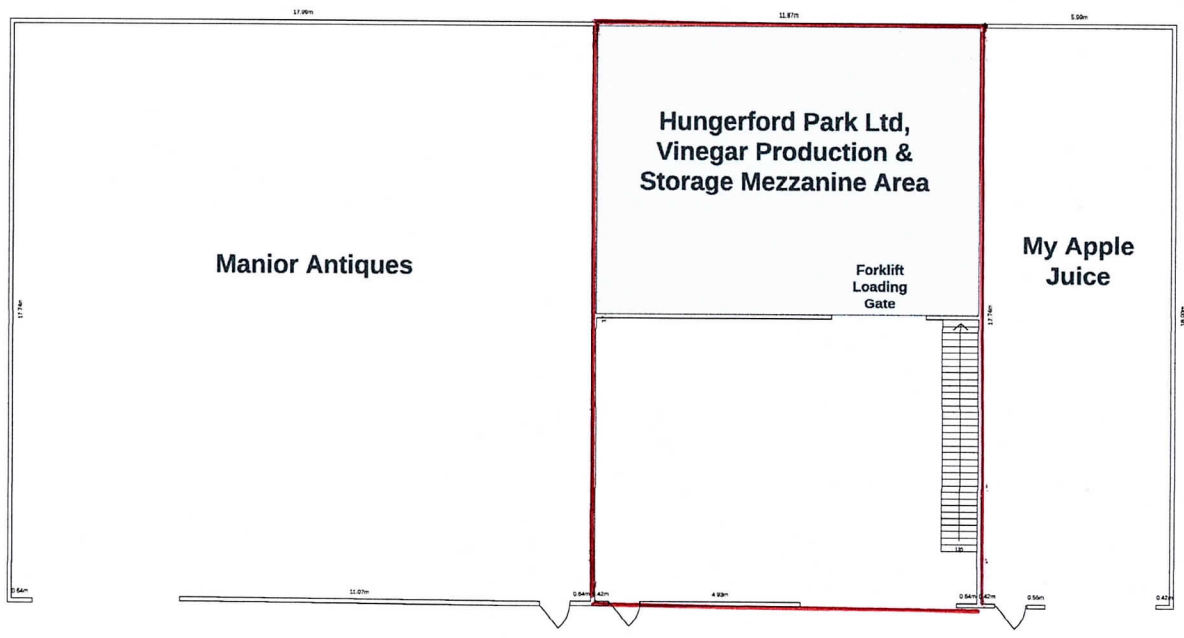
SITE PLAN HUNGERFORD PARK.





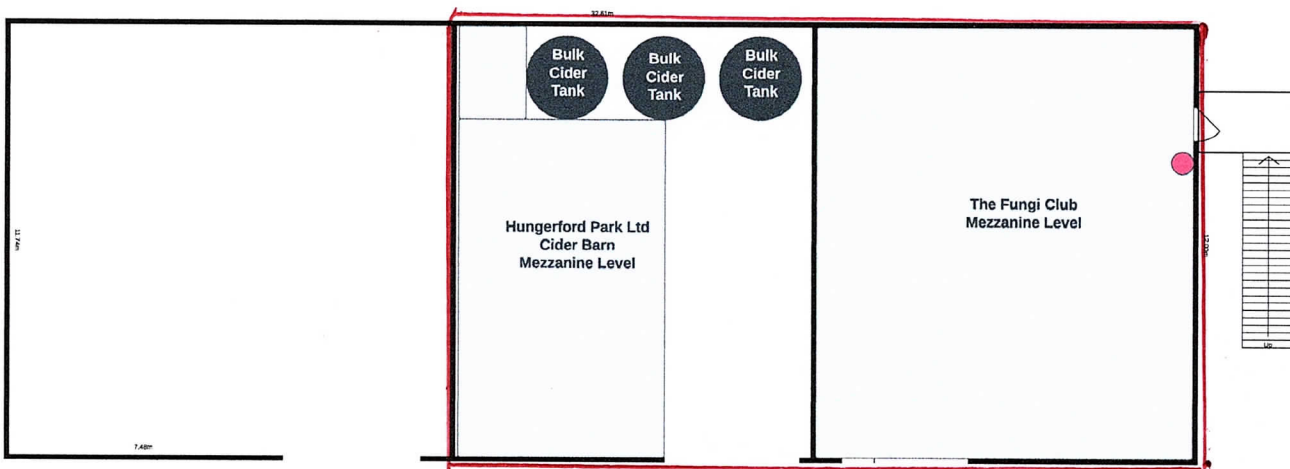
SPIRIT BARN & TAPROOM - GROUND FLOOR





SPIRIT BARN & TAPROOM - 1st FLOOR

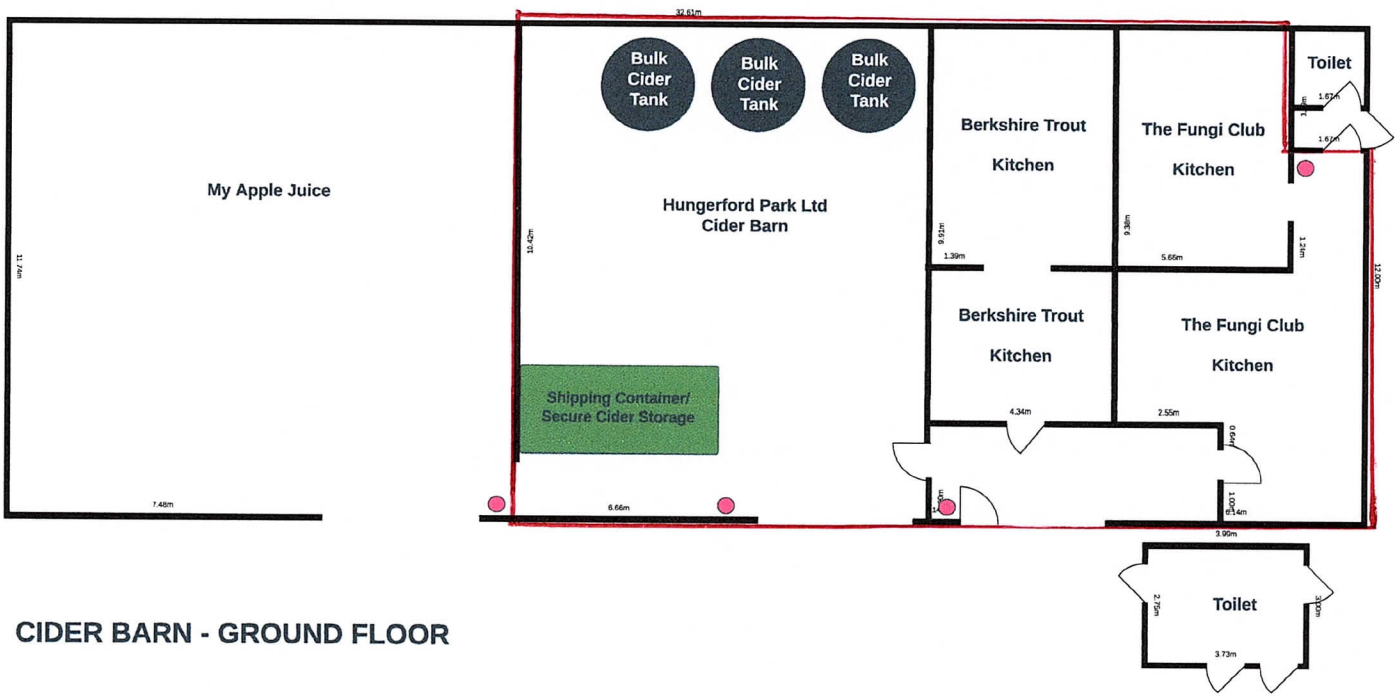




CIDER BARN - 1st FLOOR



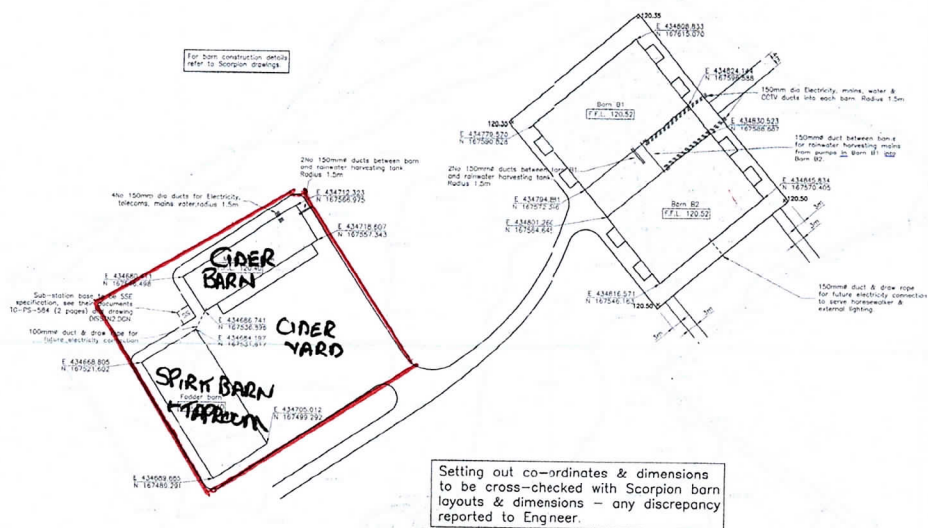
● = Fire Extinguisher Point



CIDER BARN - GROUND FLOOR



● = Fire Extinguisher Point



NOTES

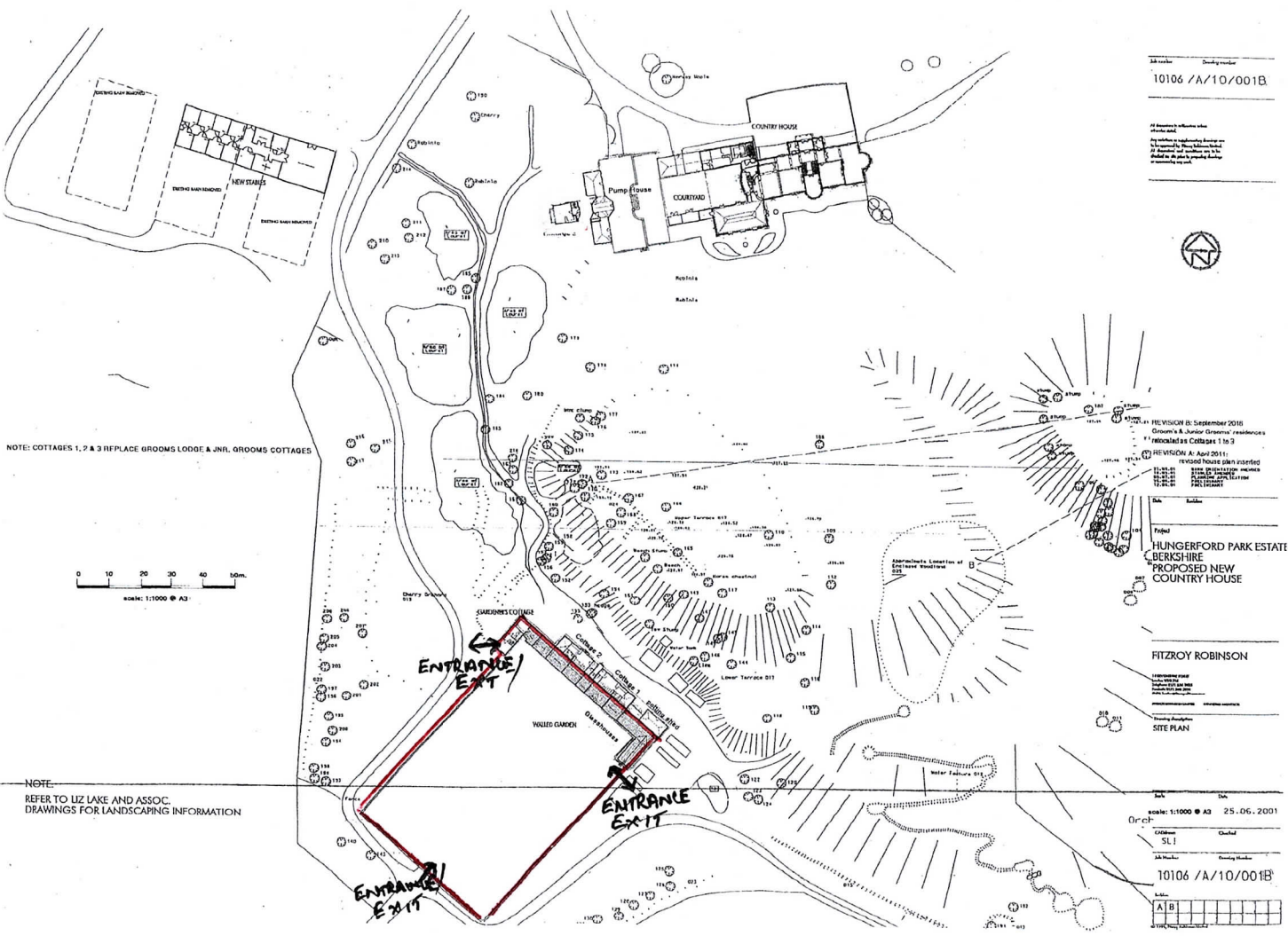
- This drawing to be read in conjunction with all relevant Architect's, Engineer's and Specialist drawings and specifications.
- No dimension to be scaled.
- This drawing is confidential and the copyright is the property of Gifford.
- All work to be done in strict accordance with contract with Gifford and must not be copied or issued without prior written permission from Gifford. Any drawings issued in an electronic format are for information purposes only and must not be used for construction.
- See drawing 12303/02/001 for joint locations.
- See drawing 12303/04/001/02 for build-ups.
- See drawing 12303/04/001/03 for manhole joints.

Legend:

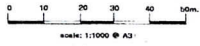
Fibre reinforced concrete
 Other areas shown in hard-core build-up

1	FOR CONSTRUCTION
2	ISSUED FOR COSTING
3	FOR CONSTRUCTION
4	ISSUED FOR COSTING
5	FOR CONSTRUCTION
6	ISSUED FOR COSTING

Client		MR & MRS HUNTER	
Project		HUNGERFORD PARK ESTATE	
Drawing Title		BARN SETTING OUT AND DUCT LOCATIONS	
Scale	Date	Drawn	AD
1:500	APR 08		
File No.	12303/GE/003	Sheet	A



NOTE: COTTAGES 1, 2 & 3 REPLACE GROOMS LODGE & JNR. GROOMS COTTAGES



NOTE:
REFER TO LIZ LAKE AND ASSOC.
DRAWINGS FOR LANDSCAPING INFORMATION

Job number Drawing number
10106 /A/10/001B

All drawings shall refer to the
Project Information Sheet
and the following documents:
1. Planning Permission No. 10/0106/A/10/001B
2. Planning Conditions 1 to 3



REVISION B: September 2010
Groom's & Junior Groom's residences
* replaced as Cottages 1 to 3
REVISION A: April 2011:
revised house plan inserted
new landscape scheme
10/0106/A/10/001B
10/0106/A/10/001B

Site Address
Project
HUNGERFORD PARK ESTATE
BERKSHIRE
PROPOSED NEW
COUNTRY HOUSE

FITZROY ROBINSON
Landscape Architect
100, The Quadrant, London SW1 1JA
Tel: 020 7592 2000
Fax: 020 7592 2001
www.fitzroyrobinson.com

Scale: 1:11000 @ A3
Date: 25.06.2011
Drawn: SL1
Checked:

10106 /A/10/001B
A B

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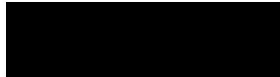
Consent of individual to being specified as premises supervisor

Charles Toby Hunter

I

[full name of prospective premises supervisor]

Of



Hungerford
Berkshire
RG17 0

[home address of prospective premises supervisor]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

A Premises Licence for Consumption on and off the Premises

[type of application]

by

Hungerford Park Ltd

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Hungerford Park Ltd
Hungerford Park
Hungerford
Berkshire
RG17 0UU

and any premises licence to be granted or varied in respect of this application made by

Hungerford Park Ltd

[name of applicant]

concerning the supply of alcohol at

Hungerford Park Ltd
Hungerford Park
Hungerford
Berkshire
RG17 0UU

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

020397

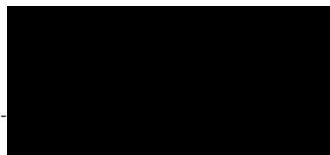
[insert personal licence number, if any]

Personal licence issuing authority

West Berkshire Council

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

Charles Toby Hunter

Date

22/12/2023

LICENSING ACT 2003

Representations

Details of the representee:

Name: Alistair Fyfe

Address: [REDACTED]

Postcode: RG17 0[REDACTED]

Telephone Number: [REDACTED]

Email address: [REDACTED]

Please note the Council is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations made.

Details of the application to make representation(s) on:

Application Reference Number: 23636

Name of Premises: Hungerford Park Ltd

Premises Address: Hungerford Park, Hungerford

Postcode: RG17 0UU

.

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Please give details of your representation(s) and include information as to why the application would be unlikely to promote any of the following objective(s):

The Prevention of Crime and Disorder:

Public Safety:

Traffic entering and leaving venue narrow tracks entering narrow public roads. No mention of signage at the venue entrance or speed bumps to slow customers down.

The Prevention of Public Nuisance:

Traffic. For weddings held on the site a large increase in traffic will use a narrow unpaved track causing dust in the summer past other properties together with, throughout the year inevitable traffic noise.

Dark Skies. An increase in vehicle headlights and lights from the walled garden venue (potentially disco style flashing lights) will damage the dark skies in this quiet rural area.

Noise. Whether inside a marquee or in the open air, loud music from wedding venues will carry significant distances particularly at night (it is normal to hear music and people shouting over 1Km away). There are a number of properties 400m – 1500m away which will be affected.

Timings. The timings proposed are unrealistic and should the application be being considered for approval, a more reasonable start of trading of 0900 hours is required with all venue noise and alcohol sales to be complete at 2300 hours – 7 days a week. No extension beyond 2300 hours should be permitted.

Mitigation Measures. I believe the measures listed will be unenforceable by the venue and wedding guests will not behave and respond as the venue would wish and there is no come back by local residents if unruly behaviour / disturbances occur. This includes fast driving down their narrow tracks when leaving the venue.

The Protection of Children from Harm:

Signed:



Date:...23 Jan 2024

Please send completed form to Licensing, Public Protection Partnership, Theale Library, Church Street, Theale, Berkshire, RG7 5BZ

LICENSING ACT 2003

Representations

Details of the representee:

Name **David Saul (DS) and Langley Sharp (LS)**

Address [REDACTED]

Postcode **RG17 0** [REDACTED]

Telephone Number [REDACTED]

Email address [REDACTED]

Please note the Council is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations made.

Details of the application to make representation(s) on:

Application Reference Number **23636**

Name of Premises **Hungerford Park**

Premises Address **Hungerford Park, Hungerford, Berkshire**
Postcode **RG17 0UU**.

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Please give details of your representation(s) and include information as to why the application would be unlikely to promote any of the following objective(s):

Situation



The entrance currently used by Hungerford Park for all commercial activity is the track marked on the map above, which passes directly in front of Old Cold Harbour Cottages Nos. 1 & 2. Hungerford Park and surrounding villages have views of the North Wessex Downs and are situated well within an area designated as an Area of Outstanding Natural Beauty (AONB).

This is an unmade-up lane which junctions with the minor road, Inkpen Road. Our concerns about the application, detailed below, are significantly based on the issues resulting from the proximity to our houses, as well as our experiences of the danger at the junction and how this access is currently, and has previously, been used.

Comment on the application:

We have recently visited Hungerford Park by invitation, and it would be useful to relate some of the additional points not mentioned in the application.

1. Spirit Barn and Tap Room.
During our visit, this area was constantly referred to as the “Cider Barn” which is shown elsewhere on the application maps and is the building we were told would provide public access for alcohol consumption (presumably not limited to cider).

This building has a footprint of some 600-700sqm together with a mezzanine

floor access via a wide staircase. A long bar has been built just inside the entrance to the building. There are no windows.

We are told that the intention is to open this building to the public for casual drinking, with additional access directly from the Hungerford Common, to which the Park estate abuts. It was stated that this venue would open several nights a week, with an initial focus on Thursday to Sunday nights (albeit the application states 7 days a week). The intention is that an alcohol license from 07:00 to 24:00 would be granted. There is also an intention to serve food on a 'pop-up' basis.

2. The application states that the Fungi Club have premises in Hungerford Park and that the Fungi Club “offer licensed dining with café/restaurant and retail shop”. We believe these activities are not present at Hungerford Park but through the Fungi Club premises in Hungerford High St.
3. Live and recorded music. This is restricted to only when weddings or other events are held at the walled garden. This is 500m from the Cold Harbour community. Such events are most likely to be held over the summer months, with the activity scheduled to stop at midnight if the application is approved.

We note that there is no restriction on music being played in any of the premises and we would be concerned if, for example, the Spirit Barn and Tap Room was used for this purpose since this is only 300m from the Cold Harbour community and beside Hungerford Common.

4. “Events”: It is not clear what kind of events other than weddings would be undertaken, and our concern is that this term allows for very wide interpretation.

The Prevention of Crime and Disorder:

The application asks for a license covering the hours of 07:00 – 24:00. If the venue is to be used for events (e.g. weddings, parties, concerts, etc.) there will be large numbers of people driving vehicles, including service vehicles, up and down the lane at all hours, into the early morning.

Our houses and driveway are particularly vulnerable to vandalism and theft, as are isolated and hidden from view. We are fearful of late-night opportunism or vandalism. In the past, people passing our drives have broken a car window and stolen items from the car (Police were informed). We have also had an attempted garage break in, which was foiled in time. We have also experienced incidents of heavy intoxicated young people loitering around the junction in the early hours. On one occasion business signage for Hungerford Park was vandalised.

The possibilities for crime and disorder will affect the surrounding area. The psychological effect of such anti-social behaviour cannot be under-estimated, particularly for the young children ([REDACTED]) and the retired couple at [REDACTED] who have grandchildren visiting on a regular basis.

Public Safety:

The images show the views from the junction of the access lane with the Inkpen Road.



There are several issues here:

- The junction with the Inkpen Road, which is very narrow, is dangerous in that visibility is limited in both directions and a vehicle must **protrude** onto the road in order to clearly see. Further, there are bends in both directions within 50m obscuring any on-coming traffic.
- During the day there are many walkers/joggers who use the area (increased numbers at weekends) and large numbers of vehicles travelling to the Spirit Barn and Tap Room or joining/ leaving an event would pose a danger to them.
- The entrance to Hungerford Park crosses over a public footpath which is heavily used by walkers, dog walkers and cyclists at all times during daylight and into evening hours. Because of hedgerows, vehicle drivers and walkers cannot see each other until the paths meet.
- The Inkpen Road is narrow. The junction is frequently used as a passing point for vehicles travelling on the Inkpen Road, pulling in to let oncoming vehicles pass. Regular users who exit Hungerford Park are aware of cars pulling in as they try to exit. Vehicles pulling in cannot see cars in the lane until the last moment. Larger numbers of first-time visitors would greatly increase the risk of accidents.
- Late night closing of the Spirit Barn and Tap Room or at the end of an event/ party/ concert will mean a significant increase in vehicles leaving and entering (e.g. pick-up drivers, taxis, and possible equipment collection). This further increases the risk of accidents, noise nuisance and disorderly behaviour.
- All access roads in the general area are narrow lanes with many dangerous bends. To the North are 90-degree corners and Hungerford Common. To the

south any visitor is led into a network of narrow lanes into Inkpen and Kintbury. These areas would suffer significantly from increased traffic, particularly late at night.

The Prevention of Public Nuisance:

There are several issues here:

- Late-night events and late-night bar openings on a regular basis, all involving alcohol and live/ recorded music, will inevitably lead to increased noise. We have experienced summer parties being held at Hungerford Park and noise levels from music are high.
- The bigger nuisance will be the volume of traffic using the lane. We have experience of this from several previous parties held at Hungerford Park:
 - o The engine noise from cars passing all day, but particularly into the early hours of the morning. With the Spirit Barn and Tap Room regularly closing at 11pm and events licensed until midnight, there will be revelers leaving after that, and stragglers, staff and potentially equipment vehicles until much later.
 - o Noise made by the revelers. Some car windows will be open and the occupants sing, shout, and talk loudly, sometimes shouting to friends in other vehicles. We do not believe that organiser's instructions to respect residents will be effective – and in some cases can actually be provocative.
 - o Car stereos blasting. Again, instruction to not use them will not always be respected with merry revelers having been listening to live / recorded music.
 - o Arguments. When a volume of cars begins to collect at the junction choke point, this can sometimes lead to unruly behaviour from some in the queue, including horns and engine revving.
 - o We have even seen drivers / passengers stop to urinate on the side of the lane (Mrs Saul has witnessed this).
 - o Excess litter in the form of cans, bottles (including smashed glass) and food wrappings have been experienced outside our properties and on the local farmland after events at Hungerford Park.
- Vehicles **entering** the lane at the same time as leavers will further increase the likelihood of unreasonable behavior from exiting partygoers. The lane can barely take two cars side by side, so the aggravation will continue the whole length of the lane. (For this reason, most venues of this type provide a dedicated exit route or visitors for mass leaving at the end of an event.)
- Anyone who has been to a larger public event or a big wedding will witness some or all of these behaviors.
- The disruption will of course go beyond the choke point outside our houses and will affect the surrounding villages late at night as people find their way out of the area.

The Protection of Children from Harm:

- Our concern is the psychological impact to school-aged children from anti-social behaviour and noise nuisance.

Signed:



David Saul



Langley Sharp



Date: 24th January 2024

Please send completed form to Licensing, Public Protection Partnership, Theale Library, Church Street, Theale, Berkshire, RG7 5BZ

LICENSING ACT 2003

Representations

Details of the representee:

Name ... Kevin Gibbs.....

Address. [REDACTED].....

..... Hungerford.....West Berkshire.....

Postcode...RG170[REDACTED].....

Telephone Number [REDACTED].....

Email address [REDACTED]

Please note the Council is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations made.

Details of the application to make representation(s) on:

Application Reference Number.....23636.....

Name of Premises ...Hungerford Park

.....

Premises Address.....Hungerford Park

Hungerford Berkshire.....

Postcode...RG170UU.....

.....

.

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Please give details of your representation(s) and include information as to why the application would be unlikely to promote any of the following objective(s):

The Prevention of Crime and Disorder:

The licence application allows for up to 5000 people. This would put extreme pressure on local amenities such as car parks and shops and also increase the likelihood of shoplifting. This happened some years ago when there was an illegal Rave organized on Hungerford Common.

Public Safety:


The influx of traffic into Hungerford and surrounding villages poses an increased risk of car and pedestrian accidents. It would also be increasingly dangerous for cyclists.

The Prevention of Public Nuisance:

The noise and air pollution from large volumes of extra traffic must be considered and the lateness of the events will mean cars and lorries driving through residential areas after midnight.

The Protection of Children from Harm:

The applicant has made provision for above

Signed: 

Date: ...05/02/2024.....
.....

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LICENSING ACT 2003

Representations

Details of the representee:

Name: Hungerford Town Council

Address: Hungerford Library, Church Street, Hungerford, Berkshire

Postcode: RG17 0JG

Telephone Number: 01488 686195

Email address: planning@hungerford-tc.gov.uk

Please note the Council is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations made.

Details of the application to make representation(s) on:

Application Reference Number: 23636

Name of Premises: Hungerford Park

Premises Address: Hungerford Park, Hungerford,

Postcode: RG17 0UU

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Please give details of your representation(s) and include information as to why the application would be unlikely to promote any of the following objective(s):

The Prevention of Crime and Disorder:

.....
.....
.....
.....

Public Safety:

Impact on community due to increased:

- **Number of cars driving through the Common, the impact that will have on Cattle (who have the right to graze and roam). Cars and cattle do not mix; potential for an increase in accidents to the public from unpredictable cattle; cars; dangerous driving**
- **Increase in traffic on already busy, narrow roads/highways with sharp bends – potential accident hotspot / increased potential for driving whilst under the influence of alcohol, accidents with cattle (especially at night as majority of the cattle are black/dark brown colour so cannot easily be seen)**
- **Impact to wildlife, cattle will be attracted by increased noise levels, car headlights and other lights. This raises concerns regarding safety of cattle (especially at night)**
- **Cattle will also be inquisitive, attracted by increased noise of due to the increased number of people using the Common (Hungerford Park plan to increase access routes directly onto the Common), causing increase in rubbish (food, litter, bottles etc) which the cattle will consume**
- **An increase in alcohol consumption, increased drinking on the common**
- **Anti social behaviour; vandalism; increased criminal damage due to both more people using the common and late night drinking (potentially under the influence of alcohol)**
- **Impact of increase light to 'Dark Skies policy'**
- **Increase in pollution caused by increased traffic to area**
- **Littering – there is already a lack of rubbish bins on the Common with only Dog Poo bins in place (which are already used inappropriately for rubbish). This will increase litter in general, e.g. cans, bottles, food, broken glass and the impact this will have on cattle (who will be attracted to this and the danger to them when they consume it)**
- **A gate has already been installed (without appropriate planning/permissions being in place) and this could let cattle through if not closed properly (they are inquisitive) which will potentially cause lots of damage/accidents**

The Prevention of Public Nuisance: Impact of increased:

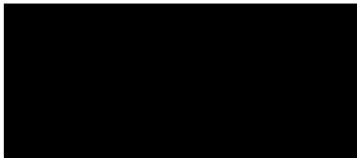
- **Noise levels – impact to community, being an area of outstanding natural beauty (AONB)**
- **Common is a haven to wildlife and increase noise levels will negatively impact this**
- **Concern raised over potential of a repeat of the incident of an 'illegal rave' and the**

- increased in anti social behaviour and shoplifting that resulted
- Alcohol consumption, an increase in number of people using the area and an increase drinking on the common and the negative impact this will have on overall noise, anti social behaviour, damage to property, shoplifting, burglary, an overall increase in Criminal Damage and danger to cattle
 - Late night licence will increase potential of late night drinking will cause increased issues of anti social behaviour
 - Impact of increase light to 'Dark Skies policy'
 - Increase in noise will attract the cattle to litter
 - Littering – increase in litter in general, also cans, bottles, food, and the impact this will have on cattle (who will be attracted to this and the danger to them when they consume it)

The Protection of Children from Harm:

.....
.....
.....
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Signed:



Date:.....13/2/2024.....

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LICENSING ACT 2003

Representations

Details of the representee:

NameTiffany Saul.....

Address... [REDACTED] Kintbury, Berkshire.....

Postcode.....RG17 9[REDACTED].....

Telephone Number [REDACTED]

Email address [REDACTED].....

Please note the Council is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations made.

Details of the application to make representation(s) on:

Application Reference Number.....23636

Name of PremisesHungerford Park.....

Premises Address.....Hungerford Park, Hungerford,
Berkshire.....

Postcode.....RG17 0UU.....

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Please give details of your representation(s) and include information as to why the application would be unlikely to promote any of the following objective(s):

The Prevention of Crime and Disorder:

These are vulnerable properties and increased volumes of people create opportunity of vandalism, attempts and possible successful thefts.

.....
.....

Public Safety:

.....I regularly visit [REDACTED] (my parents) and walk the dogs from there. There have been some near misses with isolated vehicles up and down that road – the speed at which they travel cannot be safe. Increasing this traffic will increase the issue and expose already vulnerable properties and owners to more noise and people who may well take opportunity. We have been at a family gathering there and one of our cars broken into and a handbag stolen whilst we were all there! Late night finishes allows the cover of darkness for opportunity of vandalism or theft. There seems to be little regard for cars trying to leave their driveway also – as well as parking at the end of the road where it meets the ink pen road which further reduces visibility on an already dangerous exit. Increased traffic, lack of concentration and exuberance could lead to this being a really dangerous point of roads meeting.

.....
.....
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.....

The Prevention of Public Nuisance:

With any event/venue setting there is increased population and where alcohol is involved there is an increased lack of awareness and consideration – especially if there is loud music also involved. Not only the actual event noise but the aftermath will have a noise affect on these two properties – clear downs and tidy ups happen when the crowds have left which means the traffic particularly will continue after the licensed hours. This is a narrow, unmade up road, it's not quiet, even with considerate drivers and this is a concern as traffic increases and people wan to leave/arrive and park up where they see fit.

There is also the concern of increasing traffic to this slightly out of the way venue – it has to filter out somewhere and this could have a knock on effect on other back roads that are often used by cyclists, runner and dog walker – and non dog walkers. This is particularly a concern if larger vehicles are arriving for set up./ clear down.....

...

.....
.....
.....

The Protection of Children from Harm:

...Not only do both households have animals but [REDACTED] have children and [REDACTED] frequently have their grandkids visiting and walking along this lane to the common is the only way to go. Granted, this is unlikely to be late at night but if events are being set up during the day and early evenings this is a cause for concern. This is currently a relatively quiet and safe area for them to have some freedom with occasional cars/vehicles.

.....
.....

Signed:.....Tiffany Saul

Date:..... 13.02.24

Please send completed form to Licensing, Public Protection Partnership, Theale Library, Church Street, Theale, Berkshire, RG7 5BZ

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LICENSING ACT 2003

Representations

Details of the representee:

Name: The Town & Manor of Hungerford

Address: The Town Hall High Street Hungerford Berks
.....

Postcode RG17 0NF.....

Telephone Number ...01488 686555.....

Email address Clerk@townandmanor.co.uk

Please note the Council is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations made.

Details of the application to make representation(s) on:

Application Reference Number...23636.....

Name of Premises Hungerford Park

Premises Address Hungerford Park Hungerford Berkshire

Postcode RG17 0UU

Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives.

Please give details of your representation(s) and include information as to why the application would be unlikely to promote any of the following objective(s):

The Prevention of Crime and Disorder:

We object to the proposed licensing activity on the following grounds:

1. Increased people on the Common may lead to an increase in vandalism (signs, water troughs and benches) as well as the usual anti-social behaviour that goes with licensed activity.
2. Parking on the Common can be an offence under the Countryside and Rights of Way Act. Increased vehicular traffic into the application site is likely to increase the number of cars parked on the common, which is, in fact private land.

Public Safety:

We object to the proposed licensing activity on the following grounds:

1. Cars, cattle and alcohol don't mix. There are around 150 head of cattle grazing and roaming free at any one time on Hungerford Common. Increased vehicular traffic to the site is highly likely to result in increased injury/death toll on the livestock and or drivers, especially at night.
2. The Common is a place where large numbers of people walk their dog and by themselves. Increased traffic creates a threat for both dogs and walkers/runners.
3. Properties that share fences with common land are required by law to ensure that their boundaries are stock-proof. A 5-bar gate has been installed (not a pedestrian gate as suggested by the application). If this gate is left open, stock can wander off the common and into areas (including the application site) where the fencing may not be stock-proof or sturdy enough to repel cattle. Ultimately this could lead to cattle on roads at night where they are not expected (having escaped from the applicant site) and other such safety issues.
4. The Inkpen Road access is a very dangerous road to pull out on to at any time of day, being on a sharp bend and where cars travel at speed, let alone at night with alcohol involved. The Kintbury Road is also dangerous to access, again due to road layout, visibility and speed of drivers day and night.

The Prevention of Public Nuisance:

We object to the proposed licensing activity on the following grounds:

1. The Common is a haven for wildlife. The opening of this venue for licensable activity into the night is likely to increase light in the vicinity and excess noise, which will have a negative impact on the wildlife, the AONB 'dark skies policy' and the local residents. The whole Common is noise sensitive, so we are unable to see how such noise could be 'directed away from such a sensitive area.
2. It could be perceived that the application has the ultimate aim of a venue with scope for direct walking out onto the common to enjoy the drinks / the common to almost be part of their ambiance. An increased of people on the common, with drinks/food etc. brings with it the strong likelihood of increased rubbish and bottles/broken glass. We have enough difficulty keeping the Common free of rubbish etc., and the cows away from food currently left around the dog poo bins without having extra footfall bring more mess and rubbish into the countryside.

The Protection of Children from Harm:

None

Signed:.....

Date:..... 13th February 2024

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BEFORE THE LICENSING COMMITTEE

AT WEST BERKSHIRE COUNTY COUNCIL

On 16 April 2024 at 10am

B E T W E E N:-

WRITTEN SUBMISSIONS ON BEHALF OF THE
TOWN AND MANOR OF HUNGERFORD

INTRODUCTION

1. These are the written submissions on behalf of the Town and Manor of Hungerford (**T&M**) in opposition to the application for a 'Premises Licence' at Hungerford Park (**Hungerford Park**) under application reference no.:23636 (**the Application**).
2. In summary, granting the Application would not promote public safety and the prevention of public nuisance. Significantly, granting the application would breach the decision maker's duty pursuant to section 85 of the Countryside Rights of Way Act 2006 .

T&M'S STATUS AND INTEREST IN THE APPLICATION

3. T&M is charity incorporated and regulated by the Charity Commission of England and Wales under CIO No.:238379. T&M is subject to the requirements of a Charitable Scheme dated 1908 as amended.
4. The Trustees plus the Constable run the Charity.

5. All the land owned by the Charity is held by the Official Custodian of Charities on behalf of the Charity. T&M has owned and managed these lands since they were given to the people of Hungerford in the 13th century by John O'Gaunt. Hungerford Portdown Common (**'the Common'**) is the largest parcel of land within the Charity's ownership.
6. The 'rights of common'¹ that exist over the Common are the right to graze and to shoot. The Trustees of T&M have a legal obligation to protect these rights and the land upon which they are exercised as part of the objectives of the charitable scheme and are accountable to the Charity Commission should they fail to do so.
7. The Common is registered as common land under the Commons Registration Act 1965 (as amended by the Commons Act 2006) and is subject to the Countryside and Rights of Way Act 2006 (**'CROW 2006'**). Allowing activity contrary to or use of the land as a registered common places the Charity in breach of its duties as the owner of the Common and liable to enforcement action by the Secretary of State and/or the local authority. Driving a vehicle over CROW land is a breach of that Act, unless authorised by the landowner.
8. Under the terms of T&M's agreements with 'Natural England' and the 'Department for Environment, Food and Rural Affairs (**'DEFRA'**)', T&M must graze the Common in order to manage the grassland according to their stipulated guidelines. Approximately 120-150 head of cattle have the legal right to roam free on the common. T&M's neighbours have a legal obligation to maintain their fences to a 'stock-proof' standard. Letters are sent to adjacent landowners every year reminding them that it is their legal duty to fence their land against access and egress by the cattle.

¹ The Rights are not in dispute and therefore their legal basis are not expressly set out herein unless subsequently required by the decision maker.

9. T&M also has a duty to safeguard and promote the conservation of biological diversity and the provides for better management of the Common, which is within an Area of Outstanding Natural Beauty.

THE OBJECTIONS:

10. The decision maker will need to determine the Application with reference to the licensing objectives found in section 4 of the Licensing Act 2003 ('LA 2003') as follows:

'General duties of licensing authorities

(1) A licensing authority must carry out its functions under this Act ("licensing functions") with a view to promoting the licensing objectives.

(2) The licensing objectives are—

(a) the prevention of crime and disorder;

(b) public safety;

(c) the prevention of public nuisance; and

(d) the protection of children from harm.

11. These submissions will deal with the appropriate objectives below.

I. Public Safety

12. Access to the Common via the Hungerford/Kintbury Road and from the Inkpen/Hungerford Road are routes, which are used to gain access or egress to and from Hungerford Park.

13. These roads are, by their design and layout, not suitable for significant thoroughfare.

14. As noted above, there are around 150 head of cattle grazing and roaming free at any time on Hungerford Common. Increased vehicle traffic to the site is highly

likely to result in increased injury and death toll on livestock and/or drivers. It is also likely to result in significant financial losses to T&M.

15. While the Application suggested a pedestrian gate to be installed on the boundary between the Common and Hungerford Park, a 5-bar gate has been installed (**'the Gate'**). Thus far, T&M ensured that the 'openings' onto the Common that do exist are generally bounded by stiles and cattle grids for the safety of the cattle. New 'openings' in the form of the Gate create significant risks of the cattle escaping from the common onto the private ground and, more importantly, other roads where cattle are not expected to be found. If the Gate is left open, livestock can exit the common and into areas including Hungerford Park where is unsuitable to contain and/or repel cattle. This will likely lead to personal injury, damage and loss.
16. Such escapes can lead to damage and injury to the cattle and neighbouring property.
17. Most significantly, escape of cattle can lead to Road Traffic Collisions involving potentially serious personal injuries, which can and will likely cause significant insurance claims and costs for both the Charity and the people onto whose land the cattle have escaped.
18. The decision maker on the Application will need to appreciate that while CROW 2006 allows 'open access' onto the Common, such open access does not give people - including the Applicant or, indeed, the Decision Maker on the Application - the right to create new gates and cut through their fences to create new access onto the Common. People are not able to drive over land registered under CROW 2006. This is because pursuant to section 48 of CROW 2006 anyone entering the Common has a 'Restricted By Way Right', which only permits the exercise of that right as follows:

(4)In this Part—

“restricted byway rights” means—

(a) a right of way on foot,

(b) a right of way on horseback or leading a horse, and

(c) a right of way for vehicles other than mechanically propelled vehicles; and

“restricted byway” means a highway over which the public have restricted byway rights, with or without a right to drive animals of any description along the highway, but no other rights of way.

19. All access roads in the general area are narrow lanes with many dangerous bends. To the North are 90-degree corners and Hungerford Common. To the south any visitor is led into a network of narrow lanes into Inkpen and Kintbury. These areas would suffer significantly from increased traffic, particularly late at night.

20. Regular users who exit Hungerford Park are aware of cars pulling in as they try to exit. Vehicles pulling in cannot see cars in the lane until the last moment. Larger numbers of first-time visitors would greatly increase the risk of accidents, especially serious accidents involving cattle, which may have escaped if the Application is granted.

21. Legal and insurance expenses and the likely increase in the number of deaths and injury to T&M's livestock, would be detrimental to the Charity, whose income is made up partly from the grazing fees obtained from the cattle. There have been several deaths of livestock over the last 5 years caused by vehicles. These occur after dark, principally. The existing speed limit across the Common is 30 mph. T&M's DSD downloads show that over 42% of vehicle traffic exceeds this limit. Speeds of over 50mph are regularly recorded. This is despite a significant investment in road signs/warning signs and the purchase of a DSD

speed monitoring device. This problem is going to be significantly exacerbated if the Application is granted.

22. Access to the Common via the Hungerford/Kintbury road and from the Inkpen/Hungerford road lead to straight sections where most of the speeding occurs. The risk to the cattle of increased late-night traffic from the proposed venue is made worse by the likely consumption of alcohol by drivers accessing the Common.

23. In summary, the Application should be refused because the Premises Licence proposed would:

- a) Increased traffic around the Common, which would increase the risk of serious Road Traffic Collisions.
- b) Granting the Application would increase the risk of cattle escaping onto neighbouring land and/or roads.

II. Prevention of Public Nuisance

24. The Common is within Area of Outstanding Natural Beauty ('AONB').

25. Granting a Premises Licence to sell alcohol right next to the Common, will create a disturbance to wildlife, livestock or habitats and is contrary to the aims and objectives of CROW 2006.

26. T&M perceives that the Application has the ultimate aim of a venue with scope for direct walking out onto the Common to enjoy the drinks / the Common to almost be part of Hungerford Park's ambience. An increase of people on the common, with drinks/food etc. brings with it the strong likelihood of increased rubbish and bottles/broken glass, which clearly runs contrary to the T&M's obligations to promote conservation, biodiversity and the protection of the local environment.

27. The decision maker is reminded of its own statutory obligation pursuant to section 85 of CROW 2006 in relation to AONB's including the Common as follows:

85. General duty of public bodies etc.

(A1) In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority other than a devolved Welsh authority must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.

28. Accordingly, when deciding the Application the decision maker **'must seek to further the purpose of conserving and enhancing the natural beauty of the AONB'**.

29. It is submitted that the granting of a Premises Licence with its concomitant increase in foot and vehicular traffic will **NOT** further the purpose of conservation and enhancement of the natural beauty of the Common.

SUMMARY OF OBJECTION:

30. Granting the Application for a Premises Licence as proposed would be contrary to the licensing objectives and in particular it would not promote:

- a) Public Safety; and/or
- b) The Prevention of Public Nuisance.

31. The decision maker is reminded of its mandatory obligation to seek to conserve and enhance the natural beauty of the Common.

OTHER MATTERS:

32. As aforesaid T&M has a duty to safeguard the Common. Accordingly, if the Premises Licence is granted it will seek to appeal the decision.

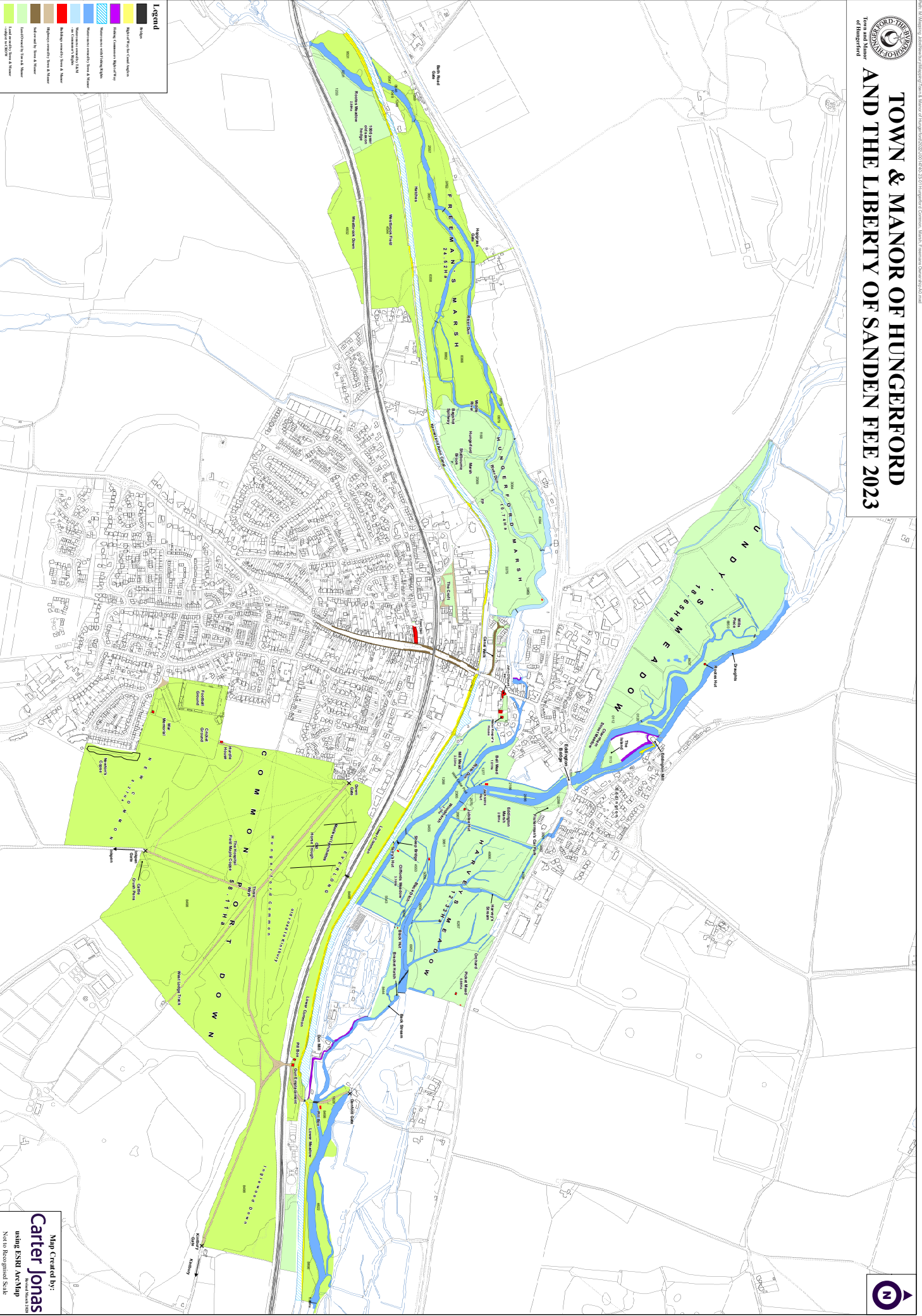
33. T&M will also wish to explore if all the advertising requirements on the Application have been satisfied.

34. T&M attaches herewith a number of Maps, which will be further explored at the hearing on 16 April 2024.

BEN LEB
8 April 2023
Five Paper
5 Paper Buildings,
Temple
London EC4Y 7HB
Telephone: 020 7815 3200
DX: 415 LDE
Email: benleb@fivepaper.com



TOWN & MANOR OF HUNGERFORD AND THE LIBERTY OF SANDEN FEE 2023



Legend

- Water
- Water Flow Direction
- Watercourse (Open)
- Watercourse (Covered)
- Watercourse (Underground)
- Watercourse (Sewer)
- Watercourse (Drainage)
- Watercourse (Other)
- Watercourse (Other)
- Watercourse (Other)
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RG17 0EH

or

Street name only

Town or Locality

Search

Reset

5 PARK COTTAGES,
HUNGERFORD PARK,
HUNGERFORD RG17 0UU

LANDAT
HUNGERFORD PARK ESTATE,
HUNGERFORD

HUNGERFORD PARK HOUSE
HUNGERFORD PARK,
HUNGERFORD RG17 0UU

Scale = 1 : 2500

435868,79997,167887,09995

50m
100ft

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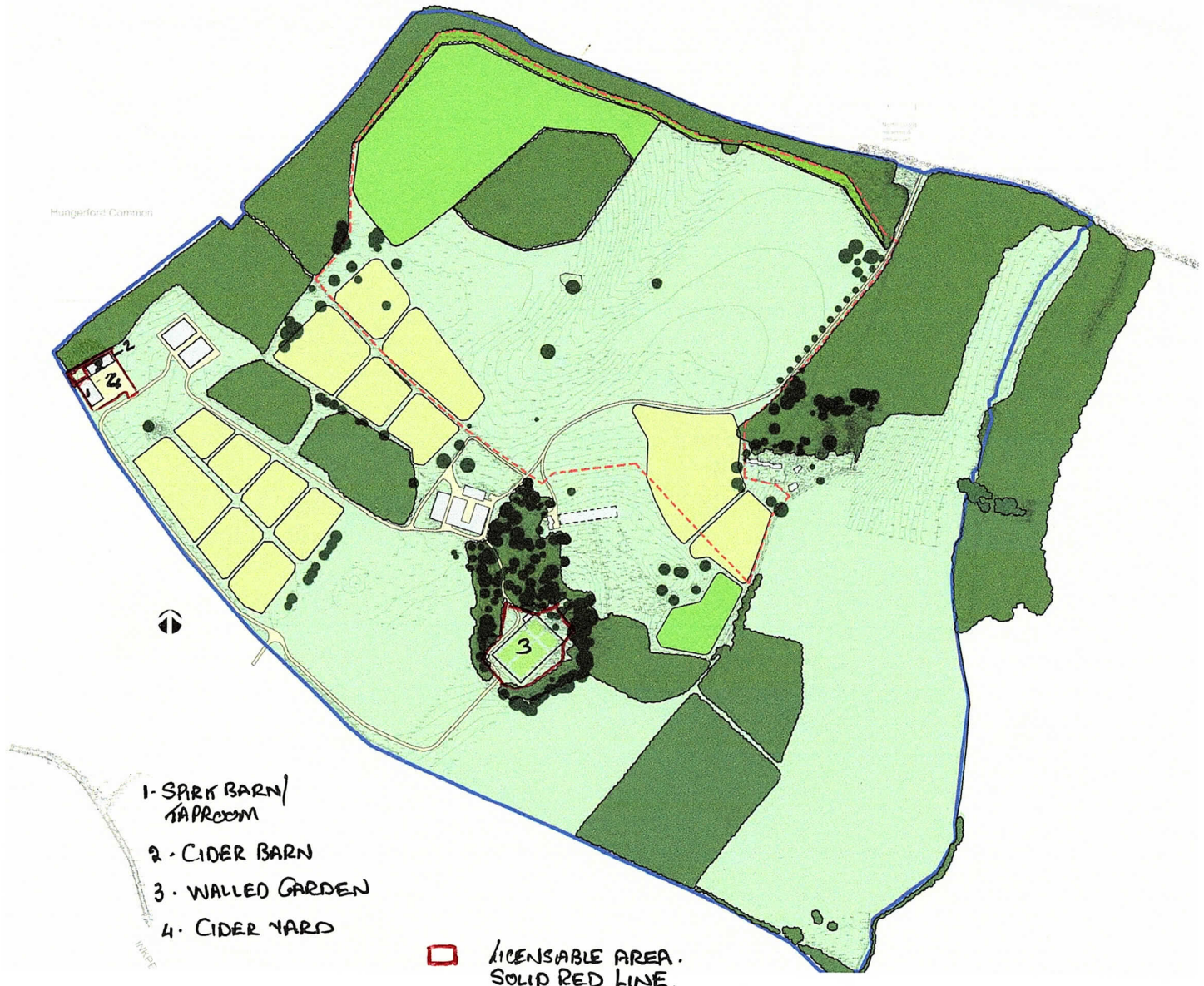
Terms and conditions | Freedom of information | © Crown copyright 2024 | Cookies | © Crown copyright and database rights 2024 Ordnance Survey 100026316. Use of this data is

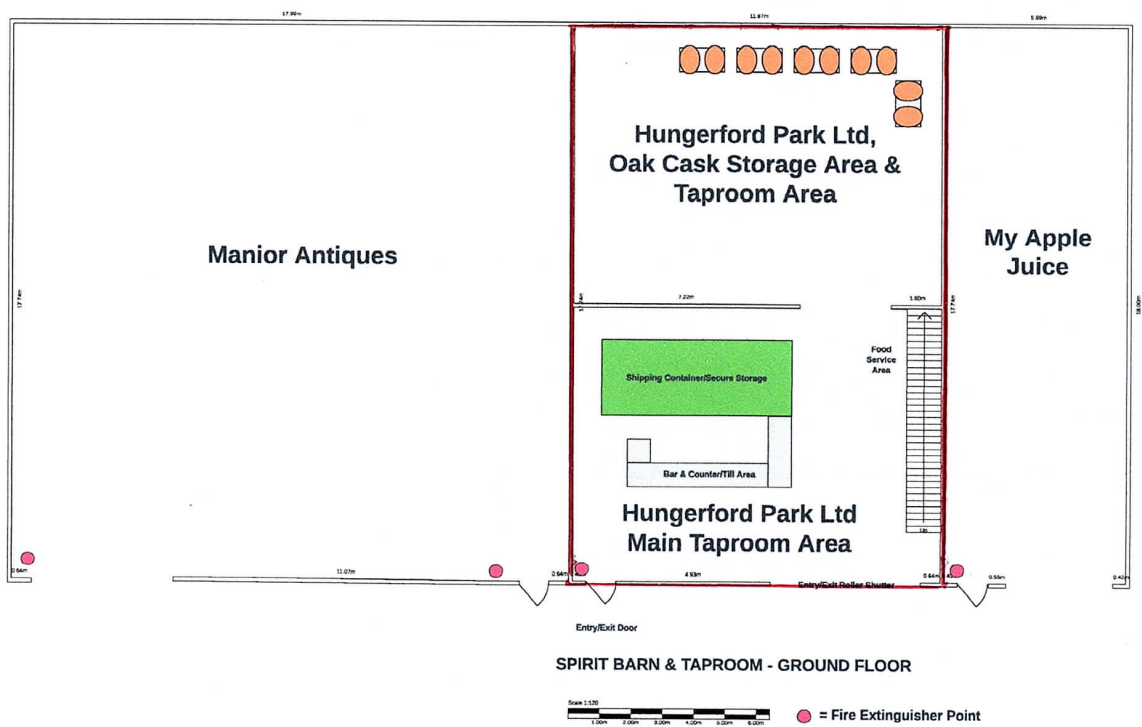
14°C Windy

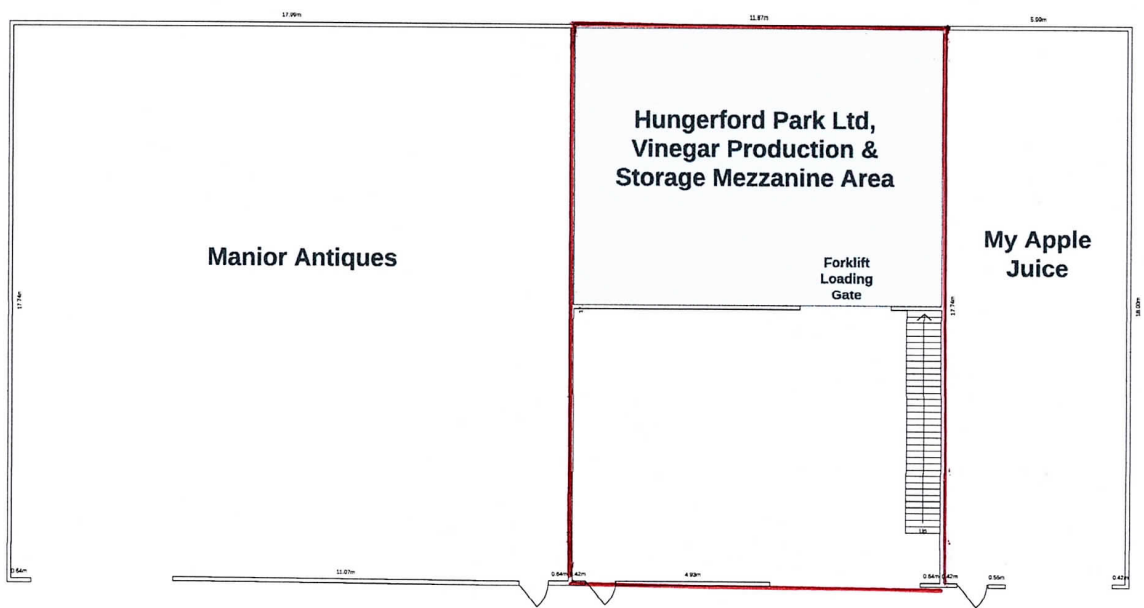
Search

ENG UK 12:35 07/04/2024

SITE PLAN HUNGERFORD PARK.

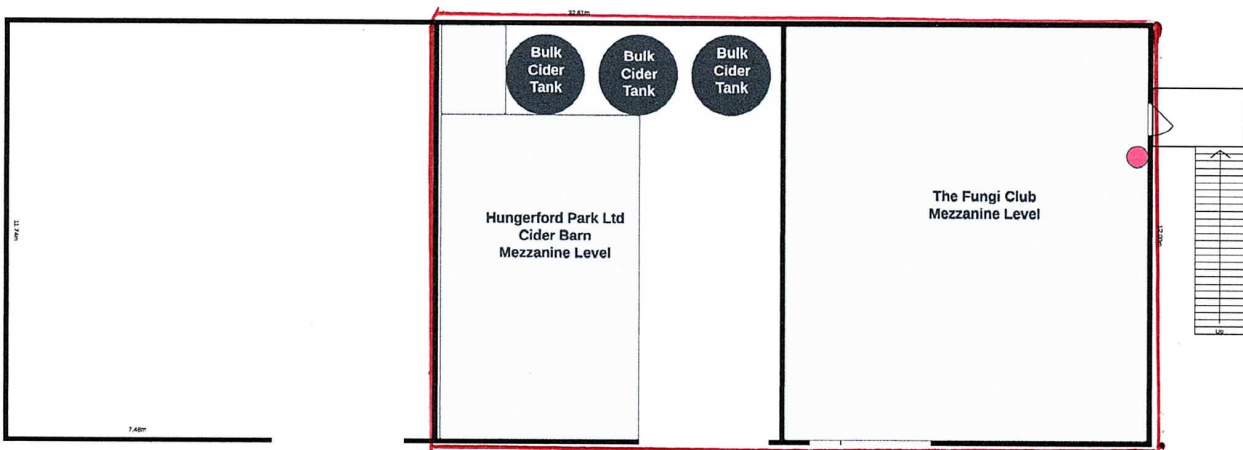






SPIRIT BARN & TAPROOM - 1st FLOOR

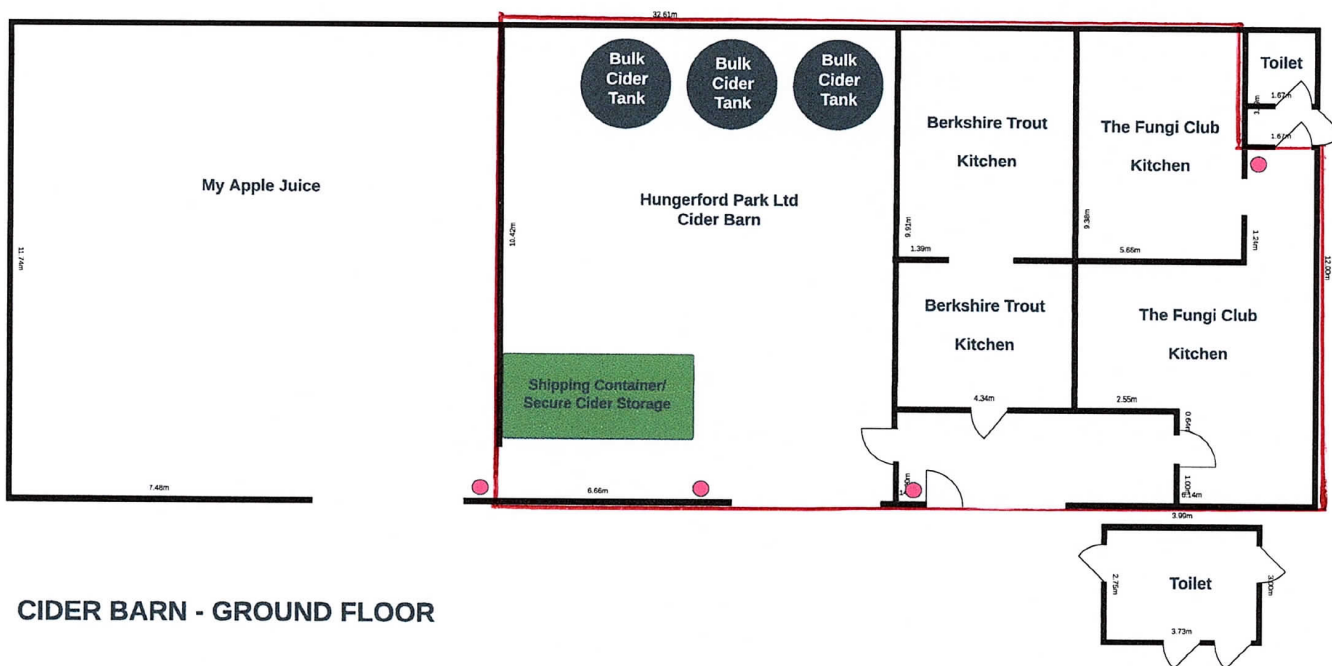




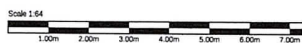
CIDER BARN - 1st FLOOR



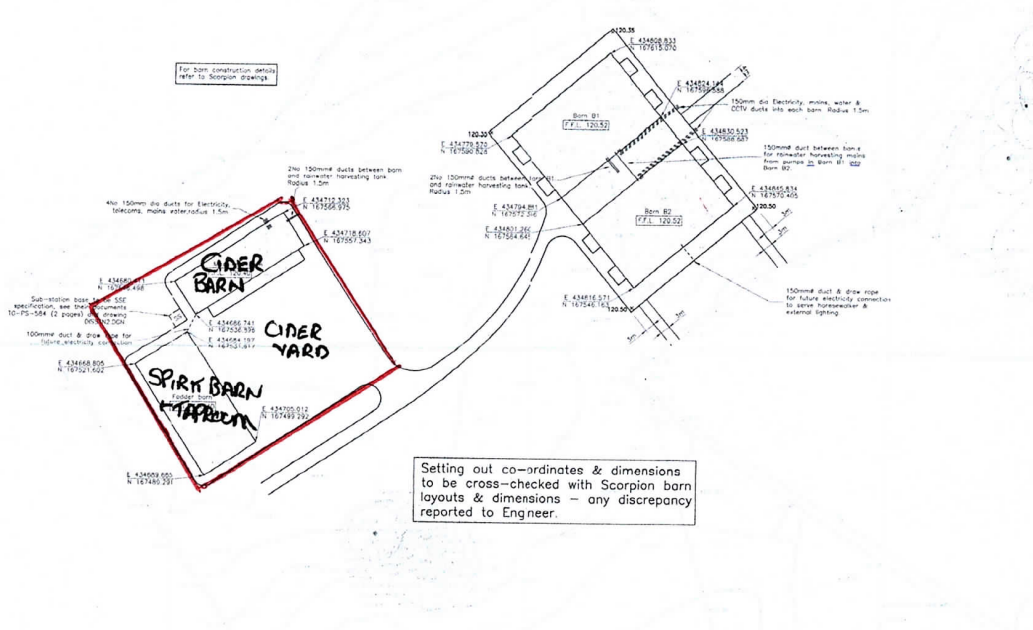
● = Fire Extinguisher Point



CIDER BARN - GROUND FLOOR



● = Fire Extinguisher Point



- NOTES**
- The drawing to be read in conjunction with all relevant Architect, Engineer's and specialist drawings and specifications.
 - No dimension to be scaled.
 - This drawing is confidential and the copyright is the property of Gifford.
 - The drawing is based on the basis that it must not be used except under a contract with Gifford and must not be copied or issued without Gifford written permission from Gifford. Any drawings issued without Gifford's written permission for construction purposes and must not be used for construction.
 - See drawing 12303/GE/001 for joint locations.
 - See drawing 12303/OK/002 for built-ups.
 - See drawing 12303/OK/003 for mobile joints.

Legend:

- ▭ Fibre reinforced concrete
- ▭ (all other areas shown in hard-core building)

Sheet	Description
A	FOR CONSTRUCTION
	ISSUED FOR COSTING

MR & MRS HUNTER

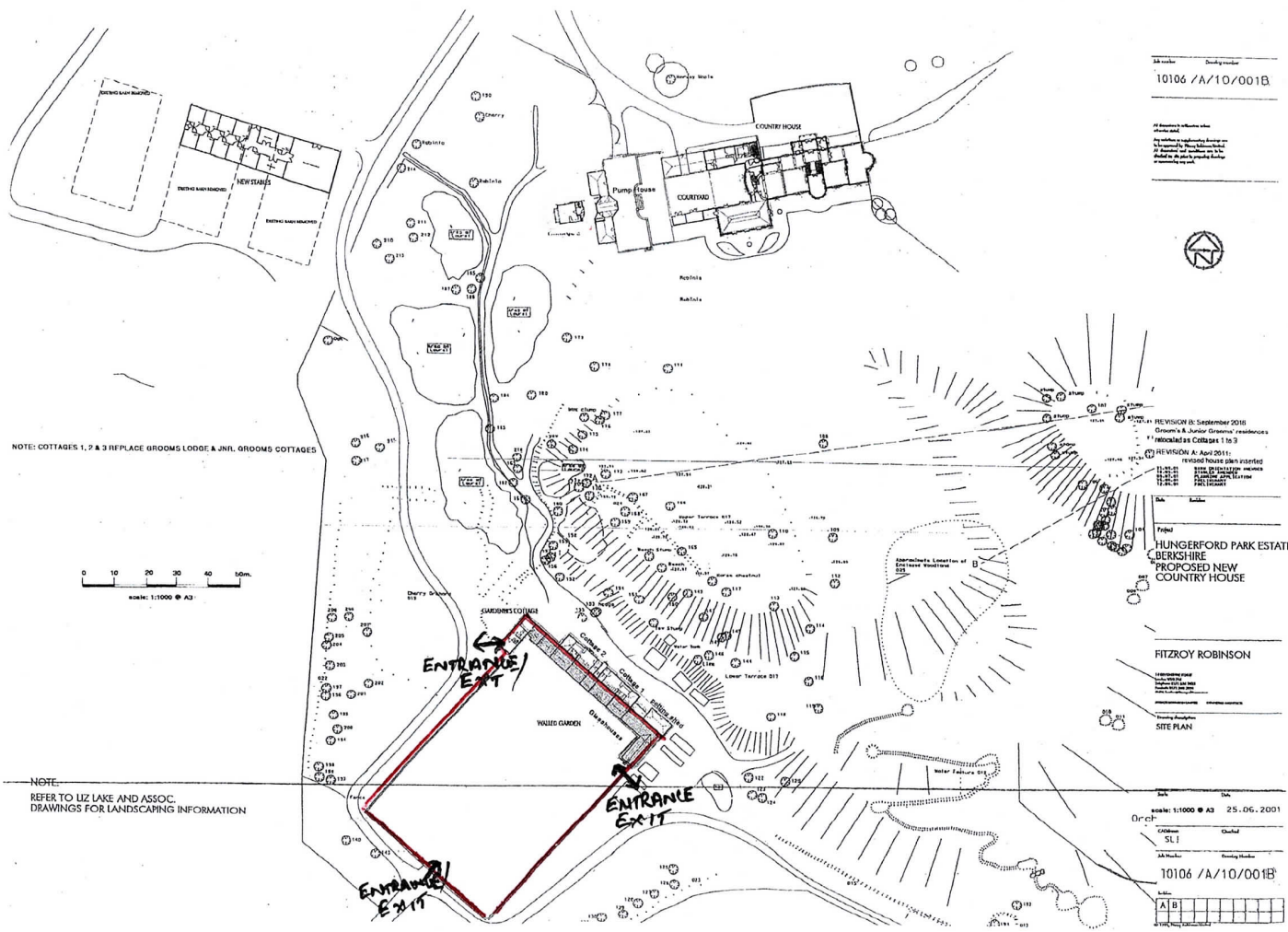
HUNGERFORD PARK ESTATE

BARN SETTING OUT AND DUCT LOCATIONS

Gifford

1500 APR 08 AD

12303/GE/003



10106 /A/10/001B

As shown on site plan
 All buildings shown on site plan
 All roads shown on site plan
 All landscaping shown on site plan
 All water features shown on site plan



NOTE: COTTAGES 1, 2 & 3 REPLACE GROOMS LODGE & JNL. GROOMS COTTAGES

Scale: 1:1000 @ A3

REVISION B: September 2016
 Groom's & Junior Groom's residences
 12 Cottages 1 to 3
 REVISION A: April 2015
 Revised house plan started
 12 Cottages 1 to 3
 12 Cottages 4 to 6
 12 Cottages 7 to 9
 12 Cottages 10 to 12

Project:
 HUNGERFORD PARK ESTATE
 BERKS & HANTS
 PROPOSED NEW
 COUNTRY HOUSE

FITZROY ROBINSON
 Landscape Architect
 100, The Quadrant, London W1A 1AA
 Tel: 020 7730 8000
 Fax: 020 7730 8001
 Email: fitzroy@fitzroyrobinson.com
 Website: www.fitzroyrobinson.com

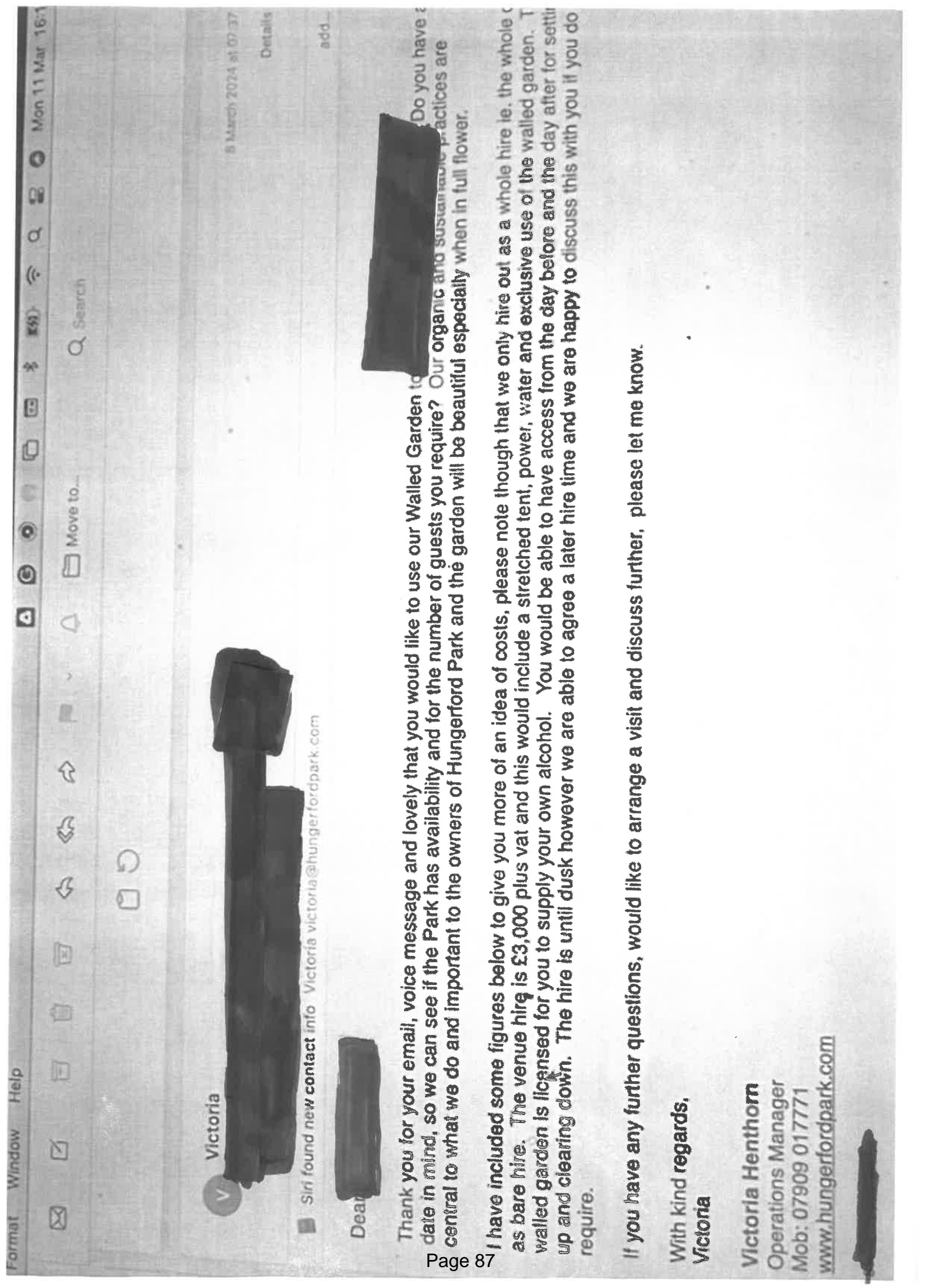
NOTE:
 REFER TO LIZ LAKE AND ASSOC.
 DRAWINGS FOR LANDSCAPING INFORMATION

Scale: 1:1000 @ A3 25.06.2001
 Date: 25.06.2001
 Drawn: SLI
 Checked: [blank]
 Revised: [blank]

10106 /A/10/001B

A	B
1	2

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Victoria

8 March 2024 at 07:37
Details

Siri found new contact info: Victoria victoria@hungerfordpark.com

Dear [redacted]

Thank you for your email, voice message and lovely that you would like to use our Walled Garden to [redacted] Do you have a date in mind, so we can see if the Park has availability and for the number of guests you require? Our organic and sustainable practices are central to what we do and important to the owners of Hungerford Park and the garden will be beautiful especially when in full flower.

I have included some figures below to give you more of an idea of costs, please note though that we only hire out as a whole hire ie. the whole garden as bare hire. The venue hire is £3,000 plus vat and this would include a stretched tent, power, water and exclusive use of the walled garden. The walled garden is licensed for you to supply your own alcohol. You would be able to have access from the day before and the day after for set up and clearing down. The hire is until dusk however we are able to agree a later hire time and we are happy to discuss this with you if you do require.

If you have any further questions, would like to arrange a visit and discuss further, please let me know.

With kind regards,
Victoria

Victoria Henthorn
Operations Manager
Mob: 07909 017771
www.hungerfordpark.com

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The Town and Manor of Hungerford – an explanation of status and obligations.

The Town and Manor is a **Charity, regulated by the Charity Commission** and subject to the requirements of a Charitable Scheme dated 1908 as amended. As a Charity they are regulated by the Charities Commission. 10 Trustees plus the Constable and Deputy Constable run the Charity. All the land owned by the Charity is held by the Official Custodian of Charities on behalf of the Charity. The Town and Manor has owned and managed these lands since they were given to the people of Hungerford in the 13th century by John O’Gaunt. Hungerford Portdown Common is the largest parcel of land within the Charity’s ownership.

The **rights of common** that exist over Hungerford Portdown Common (the Common) are the right to graze and to shoot. The Trustees have a legal obligation to protect these rights and the land upon which they are exercised as part of the objectives of the charitable scheme and are answerable to the Charity Commission if they fail to do so.

The Common is registered as common land under the **Commons Registration Act 1965** (as amended by the Commons Act 2006) and is subject to the **Countryside and Rights of Way Act 2006**. Allowing activity contrary to CROW or use of the land as a registered common ultimately places the Charity in breach of its duties as the owner of the Common and liable to enforcement action by the Secretary of State and/or the local authority. Driving a vehicle over CROW land is a breach of that Act, unless authorised by the landowner.

Under the terms of our agreements with **Natural England** and **DEFRA** we must graze the Common in order to manage the grassland according to their stipulated guidelines. Approximately 120-150 head of **cattle have the legal right to roam free** on the common. Our neighbours have a legal obligation to maintain their fences to a ‘stock-proof’ standard. Letters are sent to adjacent landowners every year reminding them that it is their legal duty to fence their land against access and egress by the cattle.

The ‘openings’ onto the Common that do exist are generally bounded by stiles and cattle grids for the safety of the cattle. New ‘openings’ in the form of gates create risks of the cattle escaping from the common onto private ground and more importantly other roads where cattle are not expected to be found. Such escapes can lead to damage and injury to the cattle and neighbouring property. These events can cause insurance claims and costs for both the Charity and the people onto whose land the cattle have escaped. Current openings are due to **historic rights of way** and that **no additional new access points are sanctioned** by the Trustees.

The CROW Act contains measures to improve public access to the open countryside and registered common land **while recognising the legitimate interests of those who own and manage the land concerned**; it also provides a basis for the conservation of biological diversity and it provides for better management of Areas of Outstanding Natural Beauty. Hungerford Portdown Common is within such an area.

The CROW Act allows ‘open access’ onto land that is covered by it. Open access does not give people the right to create new gates and cut through their fences to create a new access onto this private land. People

are not able to drive over CROW land, neither are people able to intentionally disturb wildlife, livestock or habitats. Granting a venue a license to sell alcohol right next to a registered common, would seem highly likely to create a disturbance to wildlife, livestock or habitats. Granting such a licence could be considered a breach of the CROW Act.

The presumption for granting the licence can and should be rebutted in this situation. The onus should be placed on the applicant to prove that the benefits of the grant of the licence **outweigh the potential damage** that will be caused to the Common by its grant. The Trustees are of the opinion that the grant of this Licence will create a **public nuisance** and that there will likely be more cars parking on the Common, more cars driving over the Common (as opposed to the highway as well as the highways); more litter on the Common; an increase in the potential damage to the cattle (and possibly people) from the excess cars and litter.

Legal and insurance **expenses** and the likely increase in the number of deaths and injury to our livestock, would be detrimental to the Charity, whose income is made up partly from the grazing fees obtained from the cattle. We have had several **deaths of livestock** over the last 5 years caused by vehicles. These occur after dark, principally. The existing speed limit across the Common is 30 mph. Our DSD downloads show that over 42% of vehicle traffic exceeds this limit. Speeds of over 50mph are regularly recorded. This is despite a significant investment in road signs/warning signs and the purchase of a DSD speed monitoring device.

Access to the Common via the Hungerford/Kintbury road and from the Inkpen/Hungerford road lead to straight sections where most of the **speeding** occurs. We already have a litter problem throughout the year and additional traffic, both vehicle and pedestrian, will exacerbate this. The risk to the cattle of increased late-night traffic from the proposed venue is made worse by the likely consumption of alcohol by drivers accessing the Common.

In light of the obligations under the CROW Act to manage our land to ensure it is safe for users and under the Charitable Scheme to protect the Common for the benefit of the commers and the inhabitants of Hungerford, it is highly likely that if the Licence is granted, the Trustees may have no alternative but to **appeal** such a decision through the Magistrates Court.

Difference between Hungerford Town Council and the Town and Manor

Hopefully the above text makes it clear that the main difference between the Town and Manor of Hungerford and the Hungerford Town Council is that we are not a statutory body, but a private Charity. Hungerford Parish Council was formed in 1894 and was replaced by the Town Council in 1974. The Hungerford Town Council ran in parallel with the Hungerford Rural District Council for 80 years until 1974 but as with many other smaller authorities the District Council was swallowed up by Newbury District Council, now West Berkshire Council. In December 1894 meetings under the Local Government Act 1894 were held in every parish in the Kingdom and in Hungerford this was especially important. Local government had previously been associated with all the quaint and historic ceremonies of Hocktide and the town was effectively 'run' by the Town and Manor, as the successor to the old manorial system of government within England. This changed in 1908 when the organisation was incorporated into a Charity.

From: Erica Myers
Sent: Wednesday, February 7, 2024 1:51 PM
To: Licensing <Licensing@westberks.gov.uk>
Subject: Premises Licence Application - Hungerford Park

APPLICATION FOR A PREMISES LICENCE
Hungerford Park, Hungerford, Berkshire, RG17 0UU

I have reviewed the application. To promote the prevention of public nuisance I have agreed the following conditions on the licence with the applicant. Please see attached email from the applicant's agent.

Noise

1. *The volume of amplified music should be played at a level that is appropriate to the circumstances such as the time of day and in relation to the distance of the premises from dwellings or other noise sensitive premises.*
2. *Prominent, clear and legible notices must be displayed at all exits requesting patrons/guests to respect the needs of local residents and to leave the premises and the area quietly.*
3. *The licensee or other nominated representative shall ensure that after 23:00 hours noise from entertainment involving amplified music or speech should not be audible outside any noise sensitive premises in the vicinity.*
4. *The licensee or other nominated representative shall receive and respond to complaints of noise throughout the duration of all entertainment on the premises.*
5. *The licensee shall put in place a documented Noise Management Plan (NMP) to monitor and control noise from all events held at the premises. This must be produced in advance of the first event to be held following approval of the premises licence. It shall include the following information:*
 - a. *A summary of the premises/site/event*
 - b. *A statement of intent and key objectives (purpose of the NMP)*
 - c. *A location plan and site plan*
 - d. *An inventory of all noise sources on the site*
 - e. *An assessment of the impact of the identified noise sources and an outline of what controls are needed paying specific attention to low frequency/bass noise*
 - f. *Proposed noise monitoring on and off the site*
 - g. *Communication with the public including a hotline to receive complaints*
 - h. *Action to be taken in the event of complaints*
 - i. *Management command and communication structure*
 - j. *Contact details for person with overall control for sound levels and authority regarding the NMP*

- k. *Follow up reports on events where complaints received and actions to be taken in the future*

The plan shall be implemented in full for all events held at the premises.

6. *Staff must be given adequate training to ensure the control measures outlined in the Noise Management Plan are adhered to.*

If you have any queries regarding the above please contact me.

Kind regards,

Erica

Erica Myers
Environmental Health Officer MCIEH
Public Protection Partnership

On the 07th February at 12:39 Stewart Gibson emailed to say.

Good afternoon Erica.

Please take this as notice that my client agrees to all the conditions you have proposed on the operating schedule for the above licence should it be granted.

Apologies, I had notified the licensing team that we had accepted your conditions, but on checking obviously not yourself.

Kind regards

Stewart

TVP Agreed Conditions

From: Clarke, Gary (C9203)
Sent: Thursday, February 8, 2024 11:23 AM
To: Licensing <licensing@westberks.gov.uk>
Cc: Licensing <Licensing@thamesvalley.police.uk>
Subject: TVP Application Response - Premises Licence for Hungerford Park, Hungerford, RG17 0UU: NO OBJECTION

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

On 18/01/2024, we received a Premises Licence application relating to Hungerford Park, Hungerford, RG17 0UU

=====
Multi-purpose venue.
=====

Based on the supplied information, the Thames Valley Police response is: *** NO OBJECTION ***

Thames Valley Police and the applicant have agreed the attached Conditions to be applied to this Licence.

Thanks and stay safe.

Gary Clarke C9203
Licensing Officer
Bracknell, Wokingham and West Berkshire

Proposed Conditions for Hungerford Park.

Prevention of crime and disorder

CCTV

The premises licence holder shall ensure the premises' digitally recorded CCTV system cameras shall continually record while the premises are open to the public, and recordings shall be kept, for a minimum of 31 days with time and date stamping. The entire licensable area shall be covered by CCTV. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises.

At least one staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member shall be able to access, download and provide copies of CCTV images or data recordings to a Police Officer or an authorised officer of West Berkshire Borough Council, together with facilities for viewing upon request, subject to the provisions of the Data Protection Act and

GDPR. Recorded images shall be of such quality as to be able to identify the recorded person in any light.

Signage advising customers that CCTV is in use, shall be positioned in prominent positions.

The Designated Premises Supervisor shall conduct a dynamic written risk assessment for every special event held at the premises. This assessment, will consider the need for SIA Registered Door Staff to be employed for the event. This shall be retained for 6 months, and made available for inspection to a Police Officer or an authorised officer from West Berkshire Borough Council.

When employed at least 2 SIA licensed door supervisors shall be on duty at the premises, from 20:00 until 30 minutes after closure.

All persons entering or re-entering the premises, may be searched by a SIA licensed member of staff, and monitored by the premise's CCTV system.

The Premise Licence holder shall keep and maintain a register of door supervisors. The register will show the following details:

- a) the name, home address and registration number of all door supervisors working at the premises.
- b) SIA registration number.
- c) date and time that the door supervisor commenced duty, countersigned by the Designated Premises Supervisor or Duty Manager.
- d) Any incident of crime and disorder, or concerning children must be recorded giving names of the door supervisors involved.
- e) Date and time the door supervisor finished work, countersigned by the Designated Premises Supervisor or Duty Manager.
- f) The door supervisor register must be kept at the licensed premises and be available for inspection by Police or an authorised officer of West Berkshire Borough Council

The manager shall actively participate in and support the Pub Watch scheme, where such a scheme exists.

Incident Register

All incidents which impact on any of the four licensing objectives shall be recorded in a register kept at the premises for this purpose.

The names of the person recording the incident, and those members of staff who deal with any incident shall also be recorded. Where known, any offenders name will also be recorded;

This record shall be available for inspection by a Police Officer or an Authorised officer of West Berkshire Borough Council upon request and shall be retained for one year.

The record shall be signed off by the DPS or nominated representative on a monthly basis.

Staff Training

Staff employed to sell alcohol shall undergo training upon induction. This shall include, but not be limited to:

- The premises age verification policy
- The law relating to underage sales
- Dealing with refusal of sales
- Proxy purchasing
- Recognising valid identity documents not in the English language
- How to identify and safeguard vulnerable persons who attend the premises

Such training sessions are to be documented and refreshed every twelve months.

Records of training shall be kept for a minimum of one year and be made available to an authorised officer of Thames Valley Police and West Berkshire Borough Council upon request.

Before any person is employed at the premises sufficient checks will be made of their bona fides to ensure they are legally entitled to employment in the UK. Such checks shall include:

- Proof of identity (such as a copy of their passport)
- Nationality
- Current immigration status

Employment checks will be subject of making copies of any relevant documents produced by the employee, which will be retained on the premises and kept for a minimum period of one year. Employment records as they relate to the checking of a person's right to work will be made available to Police or an authorised officer of West Berkshire Borough Council upon request.

All staff to be trained to record refusals of sales of alcohol in a refusals book or electronic register, If the record is in written form then it should be documented in a bound book similar to a A4 day by day diary and marked refusals. The book/register shall contain:

- Details of the time and date the refusal was made
- The identity of the staff member refusing the sale
- Details of the alcohol the person attempted to purchase

(b) This book/register shall be available for inspection to an authorised officer of West Berkshire Borough Council or Police. A weekly review of the refusals book/register shall also be carried out, and signed off by the Designated Premises Supervisor, or their nominated representative.

Prevention of Public Nuisance

The licensee shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to undue disturbance to local residents. Staff shall monitor all external areas from 22:00 until closure of the premise.

During operating hours the licensee or nominated representative shall be available to receive and respond to nuisance related complaints a contact number shall be readily available to residents upon request.

All refuse and bottles shall be disposed of in bins quietly so as not to disturb neighbours or local residents. There shall be no disposal of glass bottles outside between 23:00 and 08:00.

Prominent, clear and legible notices shall be displayed and maintained at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

Protection of Children from Harm

The premises shall at all times operate a Challenge 25 age verification policy to prevent any customers who attempt to purchase alcohol and who appear to the staff member to be under the age of 25 years from making such a purchase without having first provided identification. Only a valid driver's licence showing a photograph of the person, a valid passport, Military ID or proof of age card

showing the 'Pass' hologram (or any other nationally accredited scheme as set down within the mandatory conditions) are to be accepted as identification. A notice advertising the Challenge 25 and proof of age policy shall be displayed at the entrance and at all bar serving areas.

Public Safety

The premises shall implement, operate and maintain a policy to manage dispersal of customers from the premises. The policy shall be in written form and all staff shall be trained in how to operate it. The policy shall be produced to Police or an authorised Officer of West Berkshire Borough Council upon request. All external lighting shall be positioned in such a way so as not to disturb or intrude upon local residents or businesses.