

**From:** jwdclark

**Sent:** Sunday, October 29, 2023 3:56 PM

**To:** Licensing <licensing@westberks.gov.uk>

**Subject:** Re. ApplicationLA22873 - Awberry Barn, Awberry Farm, Beenham (Mr. Nigel Hopes)

---

Dear Sir,

### **I wish to object to the New Premises Application LA22873**

I am a resident of Beenham village and object to the issuance of this alcohol licence on the grounds that it does not observe the Licensing objectives of the Prevention of Public Nuisance and the Protection of Children from harm.

#### **The Prevention of Public Nuisance**

Noise. West Berkshire Planning Committee has imposed noise restrictions on the venue applying for this alcohol licence which are patently unenforceable. Not only does the applicant's Noise Management Plan make no attempt to restrict sound, other than amplified music, until after 22.00 hrs by which time small children will be trying to sleep, but also the noise level set by the Planning Committee is the rural background level. To expect applicant and one named guest to control the noise to this level both from the building and outside in the courtyard and car park, particularly when people are leaving at 23.45 hrs (or indeed outside the premises) is obviously impossible. The venue will thus undoubtedly contravene the Prevention of Public Nuisance licensing requirement as detailed in clause 2.21 of the Revised Guidance issued under section 182 of the Licensing Act 2003 (the Revised Guidance) which states that while Public Nuisance is not narrowly defined in the 2003 act "it may include the reduction of the living and working amenity and environment of persons living or working in the area of the licenced premises".

Light. Clause 2.15 of the Revised Guidance requires car parks, courtyards and gardens to be brightly lit to comply with the licensing objective of Promoting Public Safety. This lighting will in itself contravene clause 2.25 of the Revised Guidance concerning the Prevention of Public Nuisance which states that such lighting "may in itself give rise to light pollution for some neighbours" of the premises. Thus it would be impossible for this licence application to meet both the Public Safety and the Prevention of Public Nuisance licensing objectives.

It should also be noted that the Revised Guidance requires licencing authorities and licensees "to be mindful of the requirements and responsibilities placed on them by other legislation". Dark skies and minimising light pollution form part of the strategic objectives and policies of the Statutory North Downs Area of Natural Beauty. The requirement for Public Safety lighting directly contravenes this statutory initiative.

#### **The Protection of Children from Harm**

There are two areas of concern. First, the excess traffic to and from the venue during event days along Beenham's narrow country roads, with very few pavements and when more than usually congested by parked cars and vans during weekends,

presents a very real danger to the numerous children, walkers, horse riders, cyclists and skateboarders who use the same roads at weekends. Secondly, the inevitable noise and light pollution at night will disturb the sleep of children resulting in possible health and psychological problems.

I trust the Council will refuse this application.

Yours faithfully,  
JWD Clark,  
Beenham