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Sent: 04 August 2026 11:50
To: Licensing; Rachel Clarke
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Subject: Formal Representation: Variation Application – The Croft Hall (Ref: 37590 / app30014)

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RE: LICENCE VARIATION REPRESENTATION – CHILD SAFEGUARDING & SAFETY CONCERNS

Premises: The Croft Hall, The Croft, Hungerford, RG17 0HY | Application Reference: 37590 / app30014

Dear West Berkshire Licensing Team,

I am writing as a local parent of three children to lodge a formal objection against the proposed licence variation for The Croft Hall. Two of my children have attended Hungerford Nursery School, one of my children currently attends the after-school club at the nursery, and our family maintains connections with families whose young children attend the nursery today.

My representation is submitted under the primary statutory licensing objective of The Protection of Children from Harm, supported by Public Safety and The Prevention of Public Nuisance.

My strength of feeling is driven by a concern that evidence-based risks to children's safety will be realised if this application is granted as requested. By sharing these concerns, I hope we can proactively prevent what I view as a genuine safeguarding or safety incident occurring as a result of granting this licence. Furthermore, my opposition is compounded by the timing of this submission during the summer holiday period. Submitting this variation while schools are closed prevents an accurate assessment of baseline daytime impacts on the nursery environment.

1. PRIMARY OBJECTION: Refusal of the Rear Outdoor Space
(*Grounds: Protection of Children from Harm & Safeguarding*)

I ask the Licensing Sub-Committee to refuse the application to licence the rear outdoor space in its entirety. Creating an open-air commercial venue serving alcohol, live music, and recorded entertainment directly alongside spaces dedicated to early childhood education presents severe safeguarding risks:

- **Exposure to Adult Drinking & Smoking:** The rear outdoor space shares an immediate boundary wall with Hungerford Nursery School's play area (open from 8:30 am) and runs parallel to the Scout Hut's access path and outdoor activity area. Permitting an open-air drinking, smoking, and vaping venue right next door directly exposes toddlers and young children to adult drinking environments, crowd noise, and foul language during their school day.
- **Inappropriate Use of Former Child Space:** This rear area was historically a playgroup facility—a safe, child-focused environment. Converting a former playground into a commercial venue directly adjacent to an active nursery sets an unacceptable precedent for child welfare in our community.
- **Operating Hours Overlap:** The proposed licensing window seeks outdoor regulated entertainment (live and recorded music) from 09:00 am to 21:30 pm, and alcohol supply from 11:00 am. This creates a direct daytime operational overlap with Hungerford Nursery School's morning arrival (08:30 am onwards) and outdoor learning hours.

2. CONCERNS REGARDING CONSULTATION TIMING & BASELINE ASSESSMENT

(Grounds: Procedural Fairness & Statutory Testing)

I ask the Licensing Sub-Committee to note the practical difficulties created by the timing of this submission:

- **Evasion of Active School Term Scrutiny:** Submitting a major variation that directly affects an active nursery school immediately prior to the August summer break limits the ability of working parents, staff, and key stakeholders to engage fully with the public consultation process.
- **Inability to Test Active Baseline Impacts:** Conducting site evaluations while the nursery is closed for the summer conceals the true daytime operational proximity, ambient background noise, and acoustic transfer that will occur when young children return in September. Licensing decisions impacting child safeguarding should be informed by active operational baselines.

3. EVIDENCE & PRECEDENT: Risks to Children & Statutory Framework

(Grounds: Public Health Research, Local Authority Best Practice & Section 182 Guidance)

Members of the Licensing Sub-Committee evaluating this application should consider the body of evidence demonstrating the direct risks that licensed premises pose to young children in early years settings:

- **Statistical Correlation with Harm:** Research published by UK public health bodies demonstrates a direct correlation between the density and proximity of licensed premises and increased exposure of children to alcohol-related anti-social behaviour and public nuisance along immediate walking and learning routes.
- **UK Local Authority Best Practice:** Multiple UK local authorities have integrated protective criteria into their Statements of Licensing Policy when assessing premises near early years settings. These include restricting outdoor drinking and event hours so they do not overlap with school operating hours, and prohibiting external alcohol signage visible from nurseries.
- **Section 182 Guidance (Licensing Act 2003):** Statutory guidance issued under Section 182 explicitly reinforces that licensing committees must prioritise The Protection of Children from Harm over commercial expansion. Committee members have a clear duty to prevent conditions that expose children to adult drinking behaviours, foul language, or unsafe environments.

4. REVISED REPRESENTATION SUMMARY & PRECEDENT ANALYSIS

The following established licensing frameworks, statutory guidance, and environmental health principles are offered to assist the Licensing Sub-Committee in evaluating how similar operational overlaps near early-years facilities are managed across UK local authorities:

1. **Home Office S.182 Guidance (Licensing Act 2003):** Statutory guidance (Para 2.22) confirms that *"The protection of children from harm includes the protection of children from moral, psychological and physical harm."* This provides the panel with broad scope to prevent adult drinking environments from encroaching on early years education.
2. **Agent of Change Principle (Environmental Health Standard):** Seems to establish that the legal responsibility for demonstrating and funding effective noise, acoustic, and crowd mitigation rests entirely with the applicant seeking to introduce or expand a commercial use.
3. **Local Authority Best Practice (Statement of Licensing Policies):** Multiple UK licensing authorities appear to enforce protective conditions when venues directly border childcare settings, including:
 - Prohibiting external drinking and live/recorded entertainment during school operating hours.
 - Mandatory morning perimeter sweeps for glass/litter prior to 08:30 am.
 - Low-frequency (bass) sound controls to prevent structure-borne acoustic disruption during daytime nursery quiet periods.

Note: While planning and licensing regimes operate under distinct statutory frameworks, planning and environmental health precedents are referenced here purely as analogous comparative indicators of acoustic and environmental impact on sensitive early years settings.

Measured Considerations for the Committee

- **Land-Use Harmony & Child Safeguarding:** Extending regulated activities and outdoor events directly adjacent to a nursery introduces immediate operational overlaps with drop-off routines and outdoor learning schedules. Under Section 182 Guidance, I understand the committee may need to consider whether additional safeguards are necessary to protect children from moral and physical harm.
- **Acoustic Management & Daytime Learning:** Soundchecks and daytime bass spill travel easily through shared boundaries and structures. The committee should ideally consider whether strict conditions restricting daytime bass amplification are required to preserve quiet environments for nursery nap periods (typically 11:30–14:30).
- **Pedestrian & Operational Logistics:** Expanded venue operations frequently result in boundary litter and delivery conflicts during morning drop-off windows. To promote Public Safety and Prevent Public Nuisance, mandatory operational conditions (e.g., morning perimeter sweeps and controlled delivery hours) should ideally be attached to any grant.
- **Supporting a Balanced Outcome:** In accordance with what appears to be standard environmental protection principles, responsibility for mitigation sits with the applicant. If the Sub-Committee approves any part of the variation, carefully tailored conditions—such as prohibiting outdoor music during nursery operating hours and mandating sound limiters—are essential.

5. PUBLIC SAFETY & TRAFFIC RISK FOR FAMILIES

(Grounds: Public Safety & Prevention of Public Nuisance)

The area surrounding The Croft, Parsonage Lane, and the nursery is heavily congested during drop-off and pick-up times.

- **Emergency & Pedestrian Access Hazards:** Previous unmanaged events (including the event on 10th July 2026) resulted in severe double-yellow line parking, creating dangerous bottlenecks. Parsonage Lane is a narrow dead-end used daily by parents with buggies, young children walking to the nursery or scouts, and residents from the nearby care home.
- **Unmanaged Parking Escalation:** Expanding venue operations without mandatory traffic management poses a severe safety risk to pedestrians and threatens to block emergency service access to the nursery and scout hut.

6. CONDITIONAL MITIGATION: Side Hall Expansion

If the committee decides to approve expansion into the Side Hall, it must not operate unmonitored. To protect children and local families, the following mandatory conditions must be attached to the licence:

1. **Mandatory On-Site Supervisor:** A designated, active event supervisor must be present on-site for all events serving alcohol or playing music to actively prevent public nuisance and maintain order.
2. **Active Parking Marshals:** Event organisers must actively manage parking during events to prevent visitors from parking illegally on double yellow lines, keeping sightlines clear for parents and emergency access routes open.
3. **Fixed Noise Limiters & Sealed Shell:** A fixed decibel limiter (capped at 90dB with an automatic power cut-off) must be installed, and all windows and rear-facing doors must remain strictly closed during regulated entertainment (utilising the venue's internal ventilation/air conditioning).

7. KEY CLARIFICATIONS REQUESTED

Before any decision is finalised, I ask the Licensing Authority to require clarification on the following points:

Concern	Issue / Safeguarding Risk
Conflicting Hours	Section A states licensed hours end at 9:30 pm, while Section M (Clause D) cites a 10:00 pm curfew. Which section takes legal precedence?

Cumulative Capacity	What is the total combined capacity of the venue if the Main Hall, Side Hall, and Outdoor Space are used simultaneously?
Low-Frequency Noise	The request for "recorded music" allows high-bass music setups. How will low-frequency sound transmission be prevented from disrupting daytime nursery activities?
Alternative Venues	The Croft Field—a council-owned facility with purpose-built outdoor event infrastructure, kitchens, and safe zoning—already exists nearby. Why introduce safeguarding risks by duplicating outdoor event spaces directly adjacent to a nursery?

As a parent and resident, my priority is ensuring our local nursery and youth spaces remain safe, quiet, and protected environments for young children. Transforming a space immediately bordering a nursery play area into an outdoor licensed drinking venue is inappropriate and unsafe. I ask the panel to refuse the outdoor area and place strict, binding operational controls on any indoor variations.

Thank you for considering my representation.

Yours sincerely,

Mr John Charlton

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