

# AGENDA

## LICENSING ACT 2003 SUB COMMITTEE MEETING



Date: Monday 29 July 2013  
Time: 10.00 am  
Venue: Town Hall, High Street,  
Maidstone

Membership:

Councillors Mrs Grigg, B Mortimer and Mrs Parvin

Legal Representative: Mrs Jayne Bolas

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Page No.

1. Disclosures by Members and Officers
2. Disclosures of Lobbying
3. To consider whether any items should be taken in private because of the possible disclosure of exempt information
4. Report of the Head of Housing and Community Services - 1 - 124  
Application for a Premises Licence to be granted under the Licensing Act 2003, made by Solar Collective Ltd, in respect of the premises Grid ref : TQ76730 48721, open grass field-land, with attached woodland, off lower farm lane, Boughton Monchelsea.

**Continued Over/:**

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**Issued on 18 July 2013**

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**Alison Broom, Chief Executive, Maidstone Borough Council,  
Maidstone House, King Street, Maidstone Kent ME15 6JQ**



# Agenda Item 4

**Agenda Item No: 1 - Summary of Report**

**Licence Reference 13/01724/LAPRE**

**Report To: LICENSING SUB – COMMITTEE  
(UNDER THE LICENSING ACT 2003)**

**Date: 11<sup>TH</sup> JULY 2013**

**Report Title: SOLAR COLLECTIVE LTD  
1 BOUGHTON BOTTOM COTTAGES  
LOWER FARM ROAD  
BOUGHTON MONCHELSEA  
MAIDSTONE  
KENT  
ME17 4DD**

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

**Report Author: Lorraine Neale**

- Summary:**
1. The Applicants – Solar Collective Ltd
  2. Type of authorisation applied for: a premises licence under the Licensing Act 2003, S17.
  3. Proposed Licensable Activities and hours:

A)	Plays –indoor and outdoor	Friday Saturday & Sunday	12.00 to 02.00
		Monday	12.00 to 24.00
B)	Films – indoor and outdoor	Friday	12:00 to 04:00
		Saturday & Sunday	12.00 to 02.00
E)	Live Music – Indoors and outdoors	Monday to Sunday	00.00 to 24.00
F)	Recorded Music – Indoors and outdoors	Monday to Sunday	00.00 to 24.00
G)	Performances of dance – Indoors and outdoors	Monday to Sunday	00.00 to 24.00
H)	Anything Similar to E),F) & G) – Indoors and outdoors	Monday to Sunday	00.00 to 24.00
L)	Late night refreshment	Monday to Sunday	23:00 – 05:00
M)	Supply of Alcohol – on the premises	Sunday to Thursday	12.00 to 24.00
		Friday and Saturday	12:00 to 02:00
O)	Opening Hours	Monday to Sunday	00.00 to 24.00

**From 27, June 2013, plays for an audience of up to 500, indoor sporting events for an audience of up to 1000 and performances of dance for up to 500 between the hours of 08:00 and 23:00 are not licensable activities following The Licensing Act 2003 (Descriptions of Entertainment) (Amendment) Order 2013.**

**For premises with an alcohol licence,(when open for that use), there are also ,currently, amendments made by the Live Music Act 2012 that allow amplified live music for no more than 200 during the hours of 08.00 and 23.00 as non licensable,(although conditions may be imposed on the use at a review).**

**Unamplified live music does not require a licence between the hours of 08.00 and 23.00, (subject to the right to impose conditions on live music following a review of a premises licence for a premises authorised to sell alcohol.**

<b>Affected Wards:</b>	Boughton Monchelsea and Chart Sutton
<b>Recommendations:</b>	<b>The Committee is asked to determine the application and decide whether to grant a licence.</b>
<b>Policy Overview:</b>	The decision should be made with regard to the Secretary of State's Guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from Policy or Guidance the departure must be directed solely at the attainment of the licensing objectives, and that such departure be supported by proper reasons.
<b>Financial Implications:</b>	Costs associated with processing the application are taken from licensing fee income.
<b>Other Material Implications:</b>	<p><b>HUMAN RIGHTS:</b> In considering this application it is appropriate to consider the rights of both the applicant and other parties, such as “<b>responsible authorities</b>” and/or “<b>other persons</b>” (objectors). The procedure for determining licences has a prescribed format to ensure fair representation of the relevant facts by all parties.</p> <p><b>LEGAL:</b> Under the Licensing Act 2003 the <b>Licensing Authority</b> has a duty to exercise licensing control of relevant premises.</p>
<b>Background Papers:</b>	<p>Licensing Act 2003</p> <p>DCMS Guidance Documents issued under section 182 of the Licensing Act 2003 as amended</p> <p>Maidstone Borough Council Statement of Licensing Policy</p>
<b>Contacts:</b>	Mrs Lorraine Neale at: <a href="mailto:lorraineneale@maidstone.gov.uk">lorraineneale@maidstone.gov.uk</a> – tel: 01622 602028

## **Agenda Item No. 1**

**Report Title: SOLAR COLLECTIVE LTD, 1 BOUGHTON BOTTOM COTTAGES  
LOWER FARM ROAD, BOUGHTON MONCHELSEA,  
MAIDSTONE, KENT, ME17 4DD**

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

### **Purpose of the Report**

The report advises Members of an application (Appendix A) for a Premises Licence to be granted under the Licensing Act 2003, made by Solar Collective Ltd, in respect of the premises Grid ref : TQ76730 48721, open grass field-land, with attached woodland, off lower farm lane, Boughton Monchelsea. (Appendix B) in respect of which 2 representations have been received and withdrawn from Responsible Authorities, the Police (Appendices C, D& E) and Environmental Health (Appendices F& G). There have also been 26 objections received from other persons (Appendix H).

### **Issue to be Decided**

This section sets out what decision the Committee is being asked to take. It should be no more than two sentences long and must specify whether the Issue is a Key Decision as set out in the Forward Plan.

1. Members are asked to determine whether to i) grant subject to conditions consistent with the operating schedule modified to such extent as considered appropriate for the promotion of the licensing objectives and any mandatory condition, ii) grant excluding any of the licensable activities applied for, iii) grant refusing to specify a premises supervisor, or iv) reject the application.

### **Background**

2. The relevant sections are Part 3 ss 16-24 of The Licensing Act 2003 and section 4 of The Licensing Act 2003 in particular the Licensing Objectives:
  - The prevention of crime and disorder;
  - Public Safety
  - The prevention of public nuisance; and
  - The protection of children from harm
3. The application has been correctly advertised in the local press and a notice displayed on the premises for the required period. The application could also be viewed on the Partnership Website via Public Access. There is no requirement to notify any potentially affected premises within the legislation.
4. 26 representations were received from other persons.
5. The table below illustrates the relevant representations which have been received

<b>Responsible Authority /Interested Party</b>	<b>Licensing Objective</b>	<b>Associated Documents</b>	<b>Appendix</b>
Mr Darryl Parker	Crime & Disorder Public Nuisance Public Safety Children from Harm	E mail	H
Marie Antoinette Cox	Public Nuisance	Letter	H
C J & K J Turpin	Public Nuisance Public Safety	Letter	H
Mr & Mrs D E Collins	Public Nuisance Public Safety	Letter	H
Mrs Louise Parker	Crime & Disorder Public Nuisance Public Safety	E mail	H
Mr Leigh Highwood	Crime & Disorder Public Nuisance Public Safety Children from Harm	E mail	H
Emma Walker	Public Nuisance Public Safety Children from Harm	E mail	H
Mrs Emily Harrison	Public Nuisance Public Safety Children from Harm	E mail	H
Jonathan Gershon & Sue Batt	Public Nuisance Public Safety	E mail	H
Sara Evans	Public Nuisance Public Safety Children from Harm	E mail	H
Mrs S Sayers	Public Nuisance Public Safety	E mail	H
Mr Martyn Scrivens & Elizabeth Scrivens	Public Nuisance Public Safety Children from Harm	E mail	H
Mr & Mrs D McDonald	Crime & Disorder Public Nuisance Public Safety	E mail	H
Mr Andrew Evans	Public Nuisance Public Safety Children from Harm	E mail	H
Marice & Dominic Kendrick	Public Nuisance Public Safety	E mail	H
Mr Richard Coulson	Crime & Disorder Public Nuisance Public Safety Children from Harm	E mail	H

Mr Andrew Walker	Public Nuisance Public Safety	E mail	H
Dr Caroline Jessel/Mrs Caroline Lewis	Crime & Disorder Public Nuisance Public Safety	E mail	H
Mr Paul Lewis	Public Nuisance Public Safety	E mail	H
Mr & Mrs W Hayes and Mr Daubeny (represented by Strutt & Parker LLP)	Crime & Disorder Public Nuisance Public Safety Children from Harm	E mail	H
Mr David Padden	Crime & Disorder Public Nuisance Public Safety Children from Harm	E mail	H
Robert & Valerie Hitch	Crime & Disorder Public Nuisance Public Safety	E mail	H
Mr Rowland Roome	Public Nuisance Public Safety	E mail	H
Mr William Kinsey-Jones	Public Nuisance Public Safety Children from Harm	E mail	H
Lesley Windless Clerk to Boughton Monchelsea Parish Council	Public Nuisance	E mail	H

6. **Members are advised that applications cannot be refused in whole or in part, or conditions attached to the licence unless it is appropriate to do so to promote the licensing objectives.;**

7. **The Operating Schedule submitted by the Applicant has addressed the licensing objectives in the following manner:**

**a) General – all four licensing objectives**

*SOLAR COLLECTIVE STRIVE TO ENSURE EVENTS ARE SAFE SECURE AND FAMILY FRIENDLY. OUR ETHOS AIMS TO ATTRACT SOCIAL AND ENVIRONMENTALLY RESPONSIBLE BEHAVIOUR, ASSISTING THE DELIVERY OF THE LICENSING OBJECTIVES BELOW. SOLAR COLLECTIVE RECOGNISES AND ACCEPTS THE NEED FOR CONSULTATION AND CO OPERATION WITH ALL RESPONSIBLE AUTHORITIES AND INTERESTED PARTIES TO FULFIL LICENSING OBJECTIVES. SEE SECTION (B) TO (D) BELOW, EVENT MANAGEMENT PLAN (EMP) AND OPERATING SCHEDULE.*

**b) The prevention of crime and disorder**

*SOLAR COLLECTIVE SEEKS TO WORK IN CONSULTATION WITH POLICE AND SECURITY LEVELS DETERMINED BY AGREEMENT SECURITY CONTRACTORS WHEN REQUIRED WILL PROVIDE SIA*

REGISTERED LICENSED STAFF FOR PERIMETER AND INTERNAL SECURITY FOR EVENTS. ALL SECURITY WILL BE EQUIPPED WITH MULTI CHANNEL RADIO COMMUNICATIONS. IF CONSIDERED APPROPRIATE VEHICLE SEARCH PROCEDURE ON ENTRY TO PREVENT UNAUTHORISED GENERATORS/SOUND SYSTEMS/EXCESS ALCOHOL/PROHIBITED ITEMS/UNAUTHORISED PEOPLE.

**c) Public safety**

*EVENT MANAGEMENT TEAM FORMED. WHEN APPROPRIATE WHOLE SITE CONTINUOUS ,MONITORING BY SECURITY/STEWARDS, CONSTANT RADIO CONTACT WITH EMT. FIRST AID PROVISION/NUMBER OF SECURITY/STEWARDS/FIRST AIDERS FOLLOWS PURPLE GUIDE RATIOS. FIRE POINTS THROUGHOUT SITE, SEE SITE PLAN IN EMP. CATERERS WILL COMPLY WITH ALL CURRENT LEGISLATION AND PROVIDE HEALTH/HYGIENE CERTS AND RISK ASSESSMENTS. WATER SUPPLIES TAKEN DIRECTLY FROM MAINS SUPPLY ON SITE. SANITATION PROVIDED IN ACCORDANCE WITH EVENT SAFETY GUIDE. APPROPRIATE LIGHTING DEPLOYED AT KEY LOCATIONS ON SITE DURING AN EVENT.*

**d) Prevention of public nuisance**

*TRAFFIC MANAGEMENT DETAILS IN EMP. SOUND LEVELS MONITORED AND ENFORCED SUBJECT AT ALL TIMES TO NOISE MANAGEMENT PLAN IN EMP. DRUM CURFEW IN PLACE. ALL VENUE MANAGERS AWARE OF THEIR RESPONSIBILITIES AND ROLES. ALL NON COMPLYING/UNAUTHORISED SYSTEMS/VENUES SHUT DOWN. SOLAR COLLECTIVE WILL MAINTAIN COMMUNICATION WITH NEIGHBOURING DWELLINGS THOUGHOUT AN EVENT. A DEDICATED ON-SITE TELEPHONE NUMBER PROVIDED FOR REPORTING OF ANY NUISANCES BY LOCAL NEIGHBOURS.*

**e) The protection of children from harm**

*SOLAR COLLECTIVE FULLY RECOGNISES ITS RESPONSIBILITIES FOR CHILD PROTECTION AND THAT OF VULNERABLE ADULTS. WHEN CHILDRENS AREAS ARE PRESENT, STAFF WORKING IN THIS ENVIRONMENT WILL BE CRB CHECKED. CHILD PROTECTION AND LOST CHILDREN PROCEDURES WILL BE INCLUDED IN EMP.*

**The Police initially made representation which was received on 26.06.2013 (Appendix C), requesting that the following conditions be attached to the licence.**

- An event management plan is to be drawn up for each event. This plan will be based upon the Purple Guide and cover each heading as listed in the guide.
- A maximum number of persons attending each event will be determined in advance of the event.
- Any event which is expected to attract between 500 and 999 people is to be brought to the attention of Kent Police and Maidstone Borough Council's Safety Advisory Group at least 3 months before the event.
- Any event which is expected to attract 1000 people or more is to be brought to the attention of Kent Police and Maidstone Borough Council's Safety Advisory Group at least 6 months before the event.
- The Challenge 25 scheme is to be in operation at all bars where alcohol is sold and appropriate signage on display.
- Liquid refreshment including alcohol is only to be sold or supplied in polycarbonate containers, plastic or waxed paper cups except when previously agreed by Kent Police.
- Kent Police (Licensing Dept) shall be notified at least 7 weeks in advance of any event where alcohol is to be sold. If an event is booked within 7 weeks of the proposed start date then the provision to sell alcohol will be agreed by Kent Police prior to the event.
- Kent Police (Licensing Dept) shall be notified as soon as practicable of any event at which overnight camping is anticipated.
- A personal licence holder will be present on site at all times that alcohol is being offered for sale.



**The applicant Solar Collective Ltd (Richard Townsend) agreed to the police conditions forming part of the operating schedule as part of their application on 1.7.13 (Appendix D). The Police withdrew their representation on 11.7.13 (Appendix E)**

**Environmental Health initially made representation which was received on 14.06.2013 (Appendix F), requesting that the following conditions be attached to the licence.**

- The Premises License Holder will inform local residents in writing prior to any event and will include a telephone number or numbers, staffed continually throughout the duration of events, for members of the public to contact, in order for concerns relating directly to the event to be addressed immediately. This person will be located on site.
- Assessments of sound levels with details and proposals for monitoring and controlling noise will be agreed with Maidstone Borough Council.
- The Music Noise Level (MNL), as described in section 3 of the Noise Council Code of Practice on Environmental Noise Control at Concerts, should not exceed 65dB(A)(L<sub>aeq</sub> 15min) at the façade of the nearest noise sensitive properties.
- At least one contact telephone number must be provided to Maidstone Borough Councils Environmental Enforcement Team in advance of the event so that if complaints of noise nuisance, including those outside normal office hours, are received during any stage of the event, including the installation, appropriate instructions can be given to reduce noise levels to that at or below the music noise level described above.
- A Noise Management Plan (incorporated within the Event Management Plan) will be drawn up for all events by the Premises License Holder and submitted to the Safety Advisory Group. If 500+ people then will be submitted at least 3 months prior to event and 1000 + people then will be submitted at least 6 months prior to event.
- Any lighting associated with this event should be installed and operated in such a manner so as not to cause a nuisance to residents.
- Provision/maintenance of adequate toilet facilities will be detailed in the Event Management Plan and shown on the Event Site Plan and supplied and maintained throughout the event.
- The camping area will be staffed when in use and all amplified music equipment will be banned within the camping area. The ban of amplified music equipment will be made clear in the T&Cs literature when tickets are purchased.
- Events shall be limited to one three day event and eight one day events in any one calendar year.
- Any noise associated with the event will be inaudible at the façade of noise sensitive dwellings after 23:00 hours.
- Monitoring will be carried out at the following locations and levels will be recorded and supplied to Maidstone Borough Council Officers if requested:
  - Peens Lane
  - Stilebridge Lane
  - Church Hill
  - Lower Farm Road
  - Staplehurst Road
  - Jcn of East Hall Hill and Wierton Hill.
- All locations must be monitored at least once during any event.

- A waste management plan will be adopted which will include litter clearances during and after each event. A waste contractor who is registered with the Environment Agency to handle waste will be used to remove the waste off the site. Appropriate waste containers will be provided for people attending the events.

The applicant Solar Collective Ltd (Richard Townsend) agreed to the EHO conditions forming part of the operating schedule as part of their application on 4.7.13 (Appendix G ). EHO withdrew their representation on 5.7.13 (Appendix G)

The 26 representations received from other persons ,attached as Appendix I, put forward conditions that are requested by objectors, should the licence be granted.

8. Relevant sections of **The Guidance issued under section 182 of The Licensing Act 2003;**

## **Chapter 2 – Licensing Objectives.**

### **Chapters 8 & 9 Premises Licences & Determining Applications**

#### **Chapter 10 Conditions**

#### **Chapter 15 Regulated Entertainment**

Relevant policy statements contained in **the Licensing Authority's Statement of Licensing Policy:**

Relevant policy statements contained in **the Licensing Authority's Statement of Licensing Policy:**

#### **20. Prevention of Crime and Disorder**

#### **21. The Promotion of Public Safety**

#### **22. Prevention of Public Nuisance**

#### **23. Protection of Children from Harm**

### **20. Prevention of Crime and Disorder**

#### **Concerns**

The applicant should consider factors arising from the premises or the activities of their customers within the vicinity of the premises that may impact on the prevention of crime and disorder. These may include:

- Underage drinking
- Drunkenness on premises
- Public drunkenness
- Drugs
- Violent behaviour
- Anti-social behaviour

#### **Additional Steps**

The following examples of additional steps are given as examples for applicants to consider in addressing the above concerns in the preparation of their Operating Schedule, having regard to their particular type of premises or activities:-

- Effective and responsible management of premises.
- Training and supervision of staff.
- Adoption of current best practice guidance (some examples are Safer Clubbing, the National Alcohol Harm Reduction Strategy Toolkit, and other voluntary codes of practice, including those relating to drinks promotions e.g. The Point of Sale Promotions published by BBPA).
- Acceptance of accredited 'proof of age' pass cards or 'new type' driving licences with photographs, passports or an official identity card issued by H M Forces.

- Provision of effective CCTV in and around premises.
- Employment of Security Industry Authority licensed door staff. (If two or more are employed there must be at least one male and one female).
- Provision of toughened or plastic glasses.
- Provision of secure deposit boxes for confiscated items ('sin bins').
- Provision of litterbins, security measures, e.g. lighting, outside premises.
- Membership of a Pub Watch scheme.
- The current 'Chill Out Hour' operating at the late night venues in the Borough of Maidstone which is the agreement whereby late night venues cease to sell alcohol yet continue to provide music and dancing for a further hour (at a reduced volume and with the heavy bass beat removed) has proved to be a success in reducing late night crime and disorder.
- Membership of Maidsafe (Nite Net).

## **21. The Promotion of Public Safety**

The Licensing Authority wishes to ensure the safety of everyone on licensed premises.

### **Concerns**

#### **Capacity**

Where existing legislation does not provide adequately for the safety of the public, club members or guests, the occupancy capacity for premises and events (to include performers and staff) may be an important factor in promoting public safety. Subject to the requirements of the following paragraph the Licensing Authority will expect the issue of occupancy capacity and adequate controls of the numbers of persons on premises or attending an event to be considered by an applicant when completing an Operating Schedule. Where a relevant representation is received in respect of capacity the Licensing Authority will consider setting capacity limits in consultation with the Kent and Medway Fire and Rescue Authority for the following premises:

- Nightclubs
- Cinemas
- Theatres
- Other premises where regulated entertainment within the meaning of the Act is being provided.

The Applicant might also consider the following concerns when assessing the appropriate capacity for premises or events in the Maidstone area. These could include:-

- The design and layout of the premises.
- The nature of the premises or event.
- The nature of the licensable activities being provided.
- The provision or removal of temporary structures, such as a stage or furniture.
- The number of staff available to supervise customers both ordinarily and in the event of an emergency.
- The customer profile (e.g. age, disability).
- The attendance by customers whose first language is not English.
- Availability of suitable and sufficient sanitary accommodation.
- The nature and provision of facilities for ventilation.
- The use of special effects such as lasers, pyrotechnics, smoke machines, foam machines, etc.

Where capacity is likely to be reached (such as on known busy evenings) and particularly where a special event or promotion is planned, the applicant will be expected to consider the arrangements that will be put in place to ensure that the capacity of the premises is not exceeded.

#### **Additional Steps**

The following examples of additional steps are given for applicants to consider in the preparation of their Operating Schedule, having regard to their particular type of premises or activities:-

- Suitable and sufficient risk assessments.
- Effective and responsible management of premises

- Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons.
- Appropriate instruction, training and supervision of those employed or engaged to secure the safety of the premises and patrons.
- Adoption of best practice guidance.
- Provision of effective CCTV in and around premises.
- Provision of toughened or plastic non disposable glasses/bottles.
- Implementation of crowd management measures.
- Regular testing (and certification where appropriate) of procedures, appliances, systems etc. pertinent to safety.

## **22. Prevention of Public Nuisance**

Licensed premises can cause adverse impacts on communities through public nuisance. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from any nuisance caused by the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.

The Licensing Authority will interpret 'public nuisance' in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area.

### **Concerns**

When addressing the issue of prevention of public nuisance, the applicant should consider those factors arising from the premises or the activities of their customers within the vicinity of the premises that may impact on the likelihood of public nuisance. These may include:-

- The location of the premises and their proximity to residential and other noise sensitive premises, such as hospitals, hospices and places of worship.
- The hours of operation, particularly if between 23.00 and 07.00.
- The nature of activities to be provided, including whether those activities are of a temporary or permanent nature and whether they are to be held inside or outside premises.
- The design and layout of premises and in particular the presence of noise limiting features.
- The occupancy capacity of the premises.
- Last admission time.
- The steps the applicant has taken or proposes to take to ensure that staff leave the premises quietly.
- The steps the applicant has taken or proposes to take to prevent disturbance by patrons arriving or leaving the premises.
- Whether routes to and from the premises, on foot or by car or service or delivery vehicles, pass residential premises within the vicinity of the Premises.
- Whether other measures have been taken or are proposed such as the use of CCTV or the employment of registered door supervisors.
- The arrangements made or proposed for parking by patrons, and the effect of this parking on local residents.
- The likelihood of any violence, disorder or policing problems arising if a licence were granted.
- Whether taxis and private hire vehicles serving the premises are likely to disturb local residents.
- The siting of external lighting, including security lighting that is installed inappropriately.
- Whether the operation of the premises would result in increased refuse storage or disposal problems or additional litter in the vicinity of the premises and any measures or proposed measures to deal with this.
- The history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licensees.

### **Additional Steps**

The following examples of additional steps are given as examples for applicants to consider in the preparation of their Operating Schedule, having regard to their particular type of premises or activities:-

- Effective and responsible management of premises.
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of public nuisance.
- Control of operating hours for all or parts (e.g. garden areas) of premises, including such matters as deliveries.
- Adoption of best practice guidance (e.g. Good Practice Guide on the Control of Noise from Pubs and Clubs, produced by Institute of Acoustics).
- Installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices.
- Management of people, including staff, and traffic (and resulting queues) arriving and leaving premises.
- The incorporation of measures for ensuring the safe and swift dispersal of patrons away from premises and events without causing nuisance or public safety concerns to local residents.
- Effective ventilation systems to prevent nuisance from odour.

N.B. Where relevant representations are received which the Licensing Sub Committee consider material particular consideration will be given to the impact on residential amenity of proposals for the provision of late night refreshment where these are either located in, or encourage people to move through, residential areas.

## **Chapter 23 Protection of Children from Harm**

The relaxation in the Licensing Act giving accompanied children greater access to licensed premises is seen as a positive step, which may bring about a social change in family friendly leisure but the risk of harm to children remains the paramount consideration. Clearly, this relaxation places additional responsibilities upon licence holders as well as upon parents and others accompanying children.

The protection of children from harm includes the protection of children from moral, psychological and physical harm and, in relation to the exhibition of films, the transmission of programmes by video or DVD. This includes the protection of children from exposure to strong language, sexual imagery and sexual expletives.

In certain circumstances children are more vulnerable and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, the unpredictability of their age and the lack of understanding of danger.

### **Concerns**

The applicant should consider those factors arising from the premises or the activities of their customers within the vicinity of the premises that may impact on the prevention of children from harm. These may include the potential for children to:-

- purchase, acquire or consume alcohol
- be exposed to drugs, drug taking or drug dealing
- be exposed to gambling
- be exposed to activities of an adult or sexual nature
- be exposed to incidents of violence or disorder
- be exposed to environmental pollution such as noise
- be exposed to special hazards such as falls from a height

### **Additional Steps**

The following examples of additional steps are given to assist applicants. The Licensing Authority considers them to be important matters that applicants should take account of in the preparation of their Operating Schedule, having regard to their particular type of premises and/or activities:-

- Effective and responsible management of premises.  
Provision of a sufficient number of people employed or engaged to secure the protection of children from harm.
- Appropriate instruction, training and supervision of those employed or engaged to secure the protection of children from harm.
- Adoption of best practice guidance (Public Places Charter).
- Limitations on the hours when children may be present, in all or parts of the premises.
- Limitations or exclusions by age when certain activities are taking place.
- Imposition of requirements for children to be accompanied by an adult.
- Acceptance of accredited 'proof of age' cards, 'new type' driving licences with photographs, passport, an official identity card issued by HM Forces or by an EU country bearing the photograph and date of birth of bearer.

N.B. In exceptional circumstances, where **appropriate**, and only where the licensing authority has received relevant representations, it may impose conditions restricting access or excluding children from premises or part of licensed premises:-

- a) at certain times of the day, or
- b) when certain licensable activities are taking place, or
- c) to which children aged under 16 years should have access only when supervised by an adult, or
- d) to which unsupervised children under 16 will be permitted access.

Examples of premises where these conditions may be considered include those where:-

- a) There have been convictions for serving alcohol to minors or where there is some evidence of under-age drinking.
- b) There is a known association with drug taking or dealing.
- c) There is a strong element of gambling on the premises.
- d) Entertainment of an adult or sexual nature is commonly provided.
- e) There is a presumption that children under 18 should not be allowed (e.g. to nightclubs, except where under 18 discos are being held)
- f) Licensable activities are taking place during times when children under 16 may be expected to be attending compulsory full-time education.

## 9. **Options**

Legal options open to members -

- a) GRANT the licence subject to such conditions as are consistent with the operating schedule accompanying the application; MODIFIED to such extent as the Licensing sub-committee considers appropriate for the promotion of the licensing objectives and any relevant mandatory condition
- b) EXCLUDE from the licence any of the licensable activities applied for.
- c) REFUSE to specify a person in the licence as premises supervisor
- d) REJECT the application.

- 10. Members of the Licensing Act 2003 – Licensing Sub – Committee are reminded of their duty under section 17 of the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and the Licensing Authority's responsibility to co – operate in the reduction of crime and disorder in the Borough

Section 17 of the Crime and Disorder Act 1988 states:

"Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can prevent, crime and disorder in its area".

## 11. **Implications Assessment**

The decision should be made with regard to the Secretary of State's Guidance and the Council's Statement of Licensing Policy under the Licensing Act 2003. Where the decision departs from either the Guidance or the policy clear and cogent reasons must be given. Members should be aware that if such a departure is made the risk of appeal/challenge is increased.

## 12. **Human Rights**

While all Convention Rights must be considered, those which are of particular relevance to the application are:

- Article 8 – Right to respect for private and family life
- Article 1 of the First Protocol – Protection of Property
- Article 6(1) – Right to Fair Hearing
- Article 10 – Freedom of Expression

The full text of each Article is given in the attached Appendices

## 13. **Conclusion**

Members must ensure that the application is considered on its merits, as well as against the relevant guidance, policy and statutory framework.

## 14. **List of Appendices**

Appendix A	Application Form
Appendix B	Plan of Premises
Appendix C	Police Representations
Appendix D	Applicant's agreement to Police conditions.
Appendix E	Police withdrawal of representations
Appendix F	EHO representations and proposed conditions
Appendix G	Applicant's agreement to EHO conditions and EHO withdrawal of representations
Appendix H	Representations (Other Persons)
Appendix I	Conditions requested by objectors
Appendix J	Plan of area
Appendix K	Human Rights Articles
Appendix L	Order of Proceedings

## 15. **Appeals**

**The applicant or any interested party (objector) may appeal the Licensing Act 2003 Sub Committee's decision within 21 days beginning with the day on which the Appellant is notified. All/any appeals must be lodged with the Magistrates' Court. Parties should be aware that they MAY incur an Adverse Costs Order should they bring an appeal.**

Email:

[lorraineneale@maidstone.gov.uk](mailto:lorraineneale@maidstone.gov.uk)



13/01724/CAPRE £100 card payment to MBC - no rateable value

## APPENDIX A

The Licensing Partnership  
PO Box 182  
Sevenoaks  
Kent  
TN13 1GP

Maidstone Borough Council

Maidstone Borough Council Reception
6 JUN 2013
Cheque - Yes/No Initials: <u>LPD/MBC</u>

### 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.

#/We SOLAR COLLECTIVE LTD  
(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 <u>GRID REF:- TQ 76730 48721</u> <u>Open grass field-land, with attached woodland glade.</u>	
Post town <u>Maidstone</u>	Post code

Telephone number at premises (if any)	
Non-domestic rateable value of premises	<u>£100 (non rateable)</u>

#### Part 2 - Applicant Details

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

- |  |   |
|--|---|
| a) an individual or individuals *      | <input type="checkbox"/> please complete section (A)            |
| b) a person other than an individual * |   |
| i. as a limited company                | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership                   | <input type="checkbox"/> please complete section (B)            |

- iii. as an unincorporated association or ☐ please complete section (B)
- iv. other (for example a statutory corporation) ☐ please complete section (B)
- c) a recognised club ☐ 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 ☐ 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:

Please tick yes

- 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		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal 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)	
Surname			First names		

I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Current postal 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	SOLAR COLLECTIVE LTD
Address	1 Boughton Bottom Cottages Lower Farm Road Boughton Monchelsea Maidstone, Kent, ME17 4DD
Registered number (where applicable)	08431976
Description of applicant (for example, partnership, company, unincorporated association etc.)	Limited Company
Telephone number (if any)	078 131 560 52
E-mail address (optional)	solarcollective@yahoo.co.uk

### Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please give a general description of the premises (please read guidance note1)

Open grass field/land with attached  
woodland glade.  
Area Map is attached.

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 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

**Provision of regulated entertainment**

**Please tick yes**

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

**Provision of entertainment facilities:**

- |   |                                     |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I)   | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J)  | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input checked="" type="checkbox"/> |

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

☒

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

☒

**In all cases complete boxes N, O and P**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) Areas will be provided for plays and theatricals with amplified and non-amplified facilities.	
Mon	00:00	02:00		
	12:00	23:59		
Tue				
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)	
Thur				
Fri			<b>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</b> (please read guidance note 5)	
	12:00	23:59		
Sat	00:00	02:00		
	12:00	23:59		
Sun	00:00	02:00		
	12:00	23:59		

# B

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) Areas will be provided. Relevant Event Management Plans will be provided. Amplified sound will be used.		
Mon	00:00	02:00			
Tue					
Wed					
Thur			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Fri					
Sat					
Sun					
			<b>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</b> (please read guidance note 5)		
	12:00	23:59			
	00:00	04:00			
	12:00	23:59			
	00:00	02:00			
	12:00	23:59			

# C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Wed			
Thur			<b><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></b> (please read guidance note 5)
Fri			
Sat			
Sun			



# D

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><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></b> (please read guidance note 5)		
Sat					
Sun					

# E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	00:00	11:59	<b><u>Please give further details here</u></b> (please read guidance note 3) Stages and other necessary structures will be supplied. Amplified and non-amplified music will be played.		
	12:00	23:59			
Tue	00:00	11:59			
	12:00	23:59			
Wed	00:00	11:59	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
	12:00	23:59			
Thur	00:00	11:59			
	12:00	23:59			
Fri	00:00	11:59	<b><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></b> (please read guidance note 5)		
	12:00	23:59			
Sat	00:00	11:59			
	12:00	23:59			
Sun	00:00	11:59			
	12:00	23:59			

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3) Stage/areas will be provided with amplification. Stalls and venues will be permitted to play recorded music but are subject to relevant Event Management Plan. <b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)  <b>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</b> (please read guidance note 5)	
Mon	00:00	11:59		
	12:00	23:59		
Tue	00:00	11:59		
	12:00	23:59		
Wed	00:00	11:59		
	12:00	23:59		
Thur	00:00	11:59		
	12:00	23:59		
Fri	00:00	11:59		
	12:00	23:59		
Sat	00:00	11:59		
	12:00	23:59		
Sun	00:00	11:59		
	12:00	23:59		

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input checked="" type="checkbox"/>
Day	Start	Finish				
Mon	00:00	11:59	<b>Please give further details here</b> (please read guidance note 3) <i>Suitable stages and areas will be provided.</i>			
	12:00	23:59				
Tue	00:00	11:59				
	12:00	23:59				
Wed	00:00	11:59	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)			
	12:00	23:59				
Thur	00:00	11:59				
	12:00	23:59				
Fri	00:00	11:59	<b>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</b> (please read guidance note 5)			
	12:00	23:59				
Sat	00:00	11:59				
	12:00	23:59				
Sun	00:00	11:59				
	12:00	23:59				

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b><u>Please give a description of the type of entertainment you will be providing</u></b> Walkabout, Street Performance and Carnival Performance.	
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors <input type="checkbox"/>
Mon	00:00 12:00	11:59 23:59		Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Tue	00:00 12:00	11:59 23:59	<b><u>Please give further details here</u></b> (please read guidance note 3) Areas will be provided. Amplified equipment may be used subject to relevant Event Management Plan.	
Wed	00:00 12:00	11:59 23:59		
Thur	00:00 12:00	11:59 23:59	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)	
Fri	00:00 12:00	11:59 23:59		
Sat	00:00 12:00	11:59 23:59	<b><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></b> (please read guidance note 5)	
Sun	00:00 12:00	11:59 23:59		

L

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon	00:00	05:00	<u>Please give further details here</u> (please read guidance note 3) Venues and cafés will be permitted to have non-amplified and recorded music subject to relevant Event Management plan.		
	23:00	23:59			
Tue	00:00	05:00			
	23:00	23:59			
Wed	00:00	05:00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
	23:00	23:59			
Thur	00:00	05:00			
	23:00	23:59			
Fri	00:00	05:00	<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 5)		
	23:00	23:59			
Sat	00:00	05:00			
	23:00	23:59			
Sun	00:00	05:00			
	23:00	23:59			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	12:00	23:59			
Tue	12:00	23:59			
Wed	12:00	23:59			
Thur	12:00	23:59			
Fri	12:00	23:59			
Sat	00:00	02:00			
Sun	00:00	02:00			
	12:00	23:59			

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

Name	OLIVER BARLOW
Address	BURRS HILL STAPLEHURST ROAD MARDEN TONBRIDGE KENT
Postcode	TN12 9BS
Personal Licence number (if known)	13 / 00905 / LAPER
Issuing licensing authority (if known)	Maidstone borough Council

N

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 8)

N/A

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	00:00	11:59	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 5)
	12:00	23:59	
Tue	00:00	11:59	
	12:00	23:59	
Wed	00:00	11:59	
	12:00	23:59	
Thur	00:00	11:59	
	12:00	23:59	
Fri	00:00	11:59	
	12:00	23:59	
Sat	00:00	11:59	
	12:00	23:59	
Sun	00:00	11:59	
	12:00	23:59	



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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Solar Collective strive to ensure events are safe, secure and family friendly. Our ethos aims to attract social and environmentally responsible behaviour, assisting the delivery of the Licensing Objectives below. Solar Collective recognises and accepts the need for consultation and cooperation with all responsible authorities and interested parties to fulfil licensing objectives. See sections (b) to (d) below, Event Management Plan and Operating Schedule.

(EMP)

b) The prevention of crime and disorder

Solar Collective seeks to work in consultation with police and security levels determined by agreement Security Contractors, when required, will provide SIA registered, licensed staff for perimeter and internal security for events. All security will be equipped with multi-channel radio communications. If considered appropriate, vehicle search procedure on entry to prevent unauthorised generators / sound systems / excess alcohol / prohibited items / unauthorised people.

c) Public safety

Event Management Team formed. When appropriate, whole site continuous monitoring by security/stewards, constant radio contact with EMT. First Aid Provision. Number of security/stewards/first aiders follows Purple Guide Ratios. Fire Points throughout site, see site plan in EMP. Caterers will comply with all current legislation and provide health/hygiene certs. and Risk Assessments. Water supplies taken directly from mains supply on site. Sanitation provided in accordance with Event Safety Guide. Appropriate lighting deployed at key locations on site during an event.

d) The prevention of public nuisance

Traffic Management details in Event MP. Sound levels monitored and enforced subject at all times to Noise Management Plan in EMP. Drum curfew in place. All venue managers aware of their responsibilities and roles. All non-complying/unauthorised systems/venues shut down. Solar Collective will maintain communication with neighbouring dwellings throughout an event. A dedicated on-site telephone number provided for reporting of any nuisances by local neighbours.

e) The protection of children from harm

Solar Collective fully recognises its responsibilities for child protection and that of vulnerable adults. When childrens Areas are present, staff working in this environment will be CRB checked. Child Protection and Lost Children Procedures will be included in Event Management Plans (EMP).

Please tick yes

- 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 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 ☒

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	<i>R. Tansel</i>
Date	5 <sup>th</sup> June 2013
Capacity	Director

**For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent.** (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	<i>G. Smith</i>
Date	5 <sup>th</sup> June 2013
Capacity	DIRECTOR

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 13)

Post town		Post code	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

**Maidstone Borough Council**

The Licensing Partnership  
PO Box 182  
Sevenoaks  
Kent  
TN13 1GP

Maidstone Borough Council  
Reception

6 JUN 2013

Cheque - Yes / No  
Initials: .....

**Consent of individual to being specified as premises supervisor**

1. Oliver Barlow  
[full name of prospective premises supervisor]

of Burrs Hill  
Staplehurst rd  
Marden  
Kent  
TN12 9BS

[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

Premises licence  
[type of application]

by

Solar Collective  
[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for Solar Collective

Grid ref :- TQ 76730 48721  
open grass field - land with attached  
woodland glade

[name and address of premises to which the application relates]

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

Solar Collective

[name of applicant]

concerning the supply of alcohol at

Grid ref :- TQ 76730 48721

Open Grass field - land with woodland  
Glade

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

13/00905/LAPER

[insert personal licence number, if any]

Personal licence issuing authority

Maidstone borough Council

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

Signed



Name (please print)

Oliver Barlow

Date

6/6/2013

**Confirmation of Application of Advertisement**

Name of Applicant: Solar collective

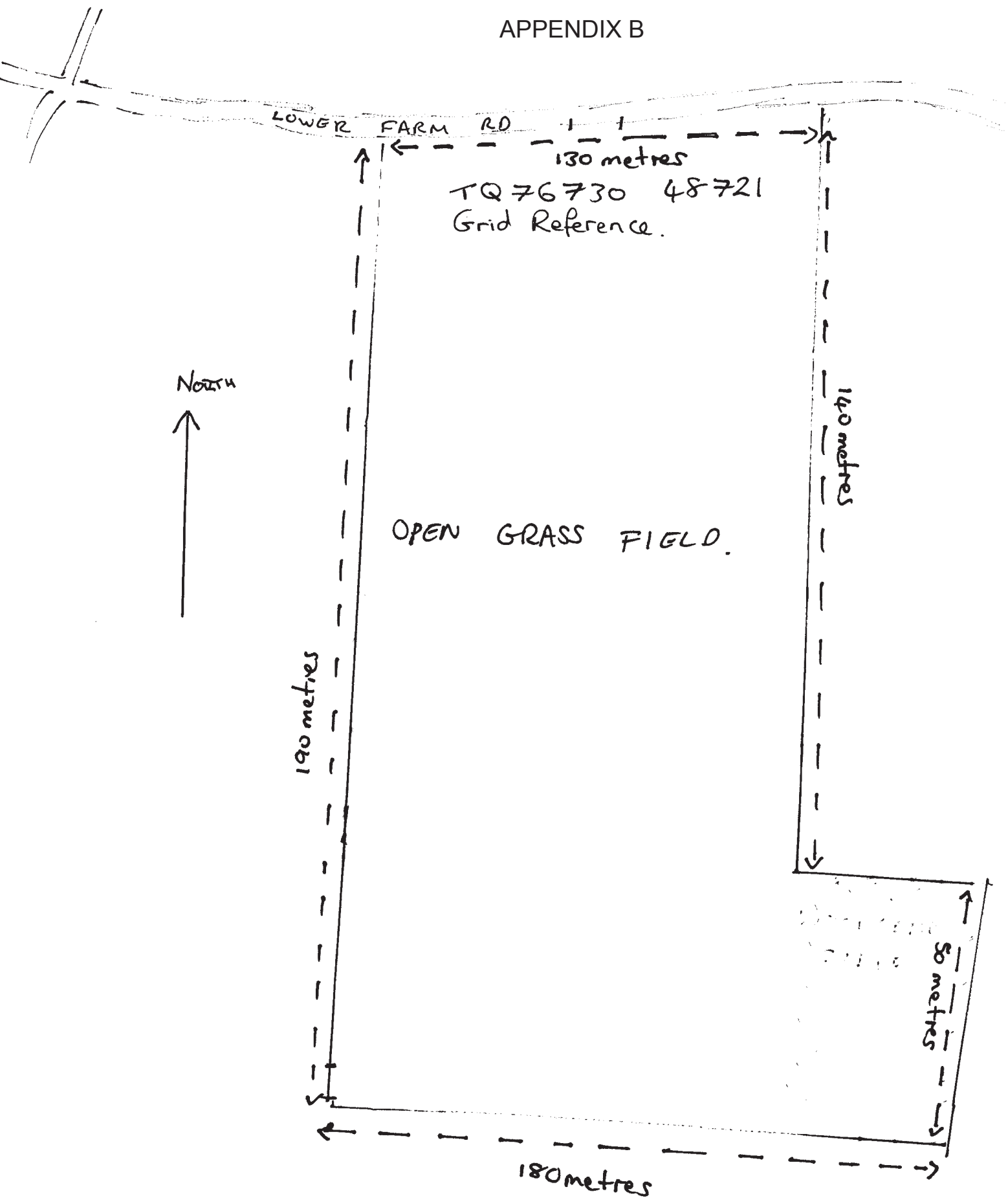
Name of Premises: TQ 76730 48721 (open field)

☒ We confirm that we have submitted for publication an advertisement of our application for a Premises Licence in (name of newspaper/newsletter/circular or similar document) Downs Mail

which is due for release on 10<sup>th</sup> June 2013

Signed *Real*  
Dated 6<sup>th</sup> June 2013

**COPY OF ADVERTISEMENT ATTACHED** ☒ YES/NO



Area Plan ref: Solar Collective Ltd.

## APPENDIX C



Chief Officer of Police Representation in relation to an application  
for grant of premises licence made under Part 3 Section 17  
Licensing Act 2003 (S18 Licensing Act 2003)

### Details of person making objection

Name of Chief Officer of Police	Chief Insp. J. Bumpus
Postal Address: (Area Headquarters)	Maidstone Police Station Palace Avenue Maidstone. ME15 6NF
E-mail address	neil.barnes@kent.pnn.police.uk
Telephone Number:	01622 604403

### Details of premises representation is about

Name of Premises:	N/A as open field
Address of premises:	Grid Ref:- TQ76730 48721
Date application received by police	07/06/2013
Date representation sent to Licensing Authority	26/06/2013

*Must be within 28 days of receipt –  
The Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, Part 4 Reg. 22.*

**The Chief Officer of Police has received an application for the grant of a premises licence made under the provisions of Section 17 Licensing Act 2003, and under Section 18 of that Act, asks the Licensing Authority to consider these representations in respect of: -**

*Please tick one or more of the licensing objectives that the representation relates to:*

Prevention of crime and disorder	<input checked="" type="checkbox"/>
Public Safety	<input checked="" type="checkbox"/>
Prevention of public nuisance	<input checked="" type="checkbox"/>
Protection of children from harm	<input checked="" type="checkbox"/>

**Is this a representation regarding the Designation of Premises Supervisor under S18 (9) Licensing Act 2003?** **NO**

If yes, complete the following statement: -

The relevant representation within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(9) of that Act and are as follows:

Due to the exceptional circumstances of this case, I am satisfied that the designation of the person concerned as the premises supervisor under the premises licence would undermine the crime prevention objective because ....

*Please use separate sheets where necessary*

The relevant representations within the meaning of S.18(6) of the Licensing Act satisfy the requirements of S.18(7) of that Act and are as follows:

**Please give the reason for the representation and detail the evidence supporting it:**

Please see attached sheet.

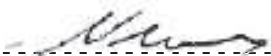
*Please use separate sheets where necessary*

**Suggested conditions that could be added to the licence to remedy the representation or other suggestions the Licensing Sub Committee may take into account:**

*Please use separate sheets where necessary. Consider s106 Licensing Act 2003.*

Please see attached sheet.

Signed:

.....

Date: ..26.\06.\.2013.

Print name: ...PC Neil Barnes .....

Force Number: ..10051....

pp Chief Officer of Police for the Police Area in which the licensed premises are situated

Representation may be made at any time during the 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant. Please return this form along with any additional sheets to the Licensing Authority. This form must be returned within the Statutory Period.



**Please give the reason for the representation and detail the evidence supporting it:**

Kent Police make these representations in respect of the application for a premises licence to be granted for a field of Eel House Farm, Boughton Monchelsea. (The grid reference is quoted as TQ76730 48721.)

The application is requesting most licensable activities with the relevant timings generally being between 12:00hrs and 02:00hrs. It is the Police's understanding that the applicants are intending to hold music based festivals on the site following an event of that nature staged in September 2012 which was held on a Temporary Event Notice.

From speaking to the applicants they are hoping to expand their events and want the flexibility that a premises licence can bring, including the opportunity to hold more than just one event a year.

On this understanding it is clear that such a premises licence needs to be designed to evolve with the events year on year, but still uphold the licensing objectives. The operating schedule uses terms such as "family friendly" and "attract social and environmentally responsible behaviour", however due to the non-specific nature of these phrases, they are not really enforceable as conditions to add to a licence. It should also be remembered that once granted the premises licence lasts for life and could potentially be used to stage any event, so long as someone calls it "family friendly",

The operating schedule makes reference to security staff being used when *required* and an event management team being formed when *appropriate*. However there is no detail as to when these things will be required or become appropriate. The situation is similar with the mention of sound monitoring.

Although the venue is located on farmland in a rural area there are residents whom live nearby and these people should not be affected by the events being held at the venue. The other significance about this rural location is that attendees will predominantly have to use private transport to access the site as it is not serviced by public transport. This means a rise in vehicular traffic along the surrounding narrow country lanes.

The planned events involve outside amplified music, the sale of alcohol and overnight camping, these activities carry a very significant risk to the licensing objectives and therefore strong conditions are required to make sure that the licensing objectives are protected.

Last year's event run under a TEN, apparently attracted around 350 people and the event did lead to a noise complaint which Kent Police believe evidences some of our concerns.

**Suggested conditions that could be added to the licence to remedy the representation or other suggestions the licensing sub-committee may take into account:**

An event management plan is to be drawn up for each event. This plan will be based upon the Purple Guide and cover each heading as listed in the guide.

A maximum number of persons attending each event will be determined in advance of the event.

Any event which is expected to attract between 500 and 999 people is to be brought to the attention of Kent Police and Maidstone Borough Council's Safety Advisory Group at least 3 months before the event.

Any event which is expected to attract 1000 people or more is to be brought to the attention of Kent Police and Maidstone Borough Council's Safety Advisory Group at least 6 months before the event.

The Challenge 25 scheme is to be in operation at all bars where alcohol is sold and appropriate signage on display.

Liquid refreshment including alcohol is only to be sold or supplied in polycarbonate containers, plastic or waxed paper cups except when previously agreed by Kent Police.

Kent Police (Licensing Dept) shall be notified at least 7 weeks in advance of any event where alcohol is to be sold. If an event is booked within 7 weeks of the proposed start date then the provision to sell alcohol will be agreed by Kent Police prior to the event.

Kent Police (Licensing Dept) shall be notified as soon as practicable of any event at which overnight camping is anticipated.

A personal licence holder will be present on site at all times that alcohol is being offered for sale.

## APPENDIX D

**From:** Solarcollective [solarcollective@yahoo.co.uk]  
**Sent:** 01 July 2013 13:11  
**To:** Neil Barnes  
**Subject:** Re: Premises Application

Hi Neil

We have had a look at your conditions and we are to accept them.

Many thanks

Richard Townsend

Sent from my iPad

On 26 Jun 2013, at 09:15, "Neil BARNES PC 10051" <[neil.barnes@kent.pnn.police.uk](mailto:neil.barnes@kent.pnn.police.uk)> wrote:

Hi

Please find attached a copy of the representations I have submitted to MBC Licensing Dept. in respect of your application for a premises licence in Boughton-Monchelsea.

The main form is the second one which has the actual detail, it is basically an extension of the first document which simply doesn't have enough space for the information.

I shall be sending you a hard copy in the post which has instructions on what to do next etc. However if you wish to discuss the matter please feel free to contact myself at any time.

Many thanks

PC Neil Barnes 10051  
Licensing Officer  
Maidstone Police Station  
Palace Avenue,  
Maidstone,  
Kent.  
ME15 6NF

Dial: 01622 604403  
03 2403  
[neil.barnes@kent.pnn.police.uk](mailto:neil.barnes@kent.pnn.police.uk)

[www.twitter.com/kentpolicemaids](http://www.twitter.com/kentpolicemaids)

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<3480 Representations against s17 Grant of premises licenc1.doc>

<Evidence and conditions.doc>

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## APPENDIX E

**From:** Neil BARNES PC 10051 [neil.barnes@kent.pnn.police.uk]  
**Sent:** 11 July 2013 15:43  
**To:** Lorraine Neale  
**Subject:** Fwd: Re: Premises Application  
**Attachments:** Re: Premises Application; ATT00001.txt

Please see the attached E-mail from R Townsend accepting the Conditions as proposed by Kent Police.

On the understanding that these are now added to the licence, Kent Police wish to withdraw their representations

### Consultee Details

Name: Mr Michael Swoffer

Address: Maidstone House, King Street ME15 6JQ

Email: michaelswoffer@maidstone.gov.uk

On Behalf Of: MBC Environmental Health

### Comments

Environmental Enforcement would like to add the following conditions onto the premises license:

1. The Premises License Holder will inform local residents in writing prior to any event and will include a telephone number or numbers, staffed continually throughout the duration of events, for members of the public to contact, in order for concerns relating directly to the event to be addressed immediately. This person will be located on site.
2. Assessments of sound levels with details and proposals for monitoring and controlling noise will be agreed with Maidstone Borough Council.
3. The Music Noise Level (MNL), as described in section 3 of the Noise Council Code of Practice on Environmental Noise Control at Concerts, should not exceed 65dB(A)(Laeq 15min) at the façade of the nearest noise sensitive properties.
4. At least one contact telephone number must be provided to Maidstone Borough Councils Environmental Enforcement Team in advance of the event so that if complaints of noise nuisance, including those outside normal office hours, are received during any stage of the event, including the installation, appropriate instructions can be given to reduce noise levels to that at or below the music noise level described above.
5. A Noise Management Plan (incorporated within the Event Management Plan) will be drawn up for all events by the Premises License Holder and submitted to the Safety Advisory Group. If 500+ people then will be submitted at least 3 months prior to event and 1000 + people then will be submitted at least 6 months prior to event.
6. Any lighting associated with this event should be installed and operated in such a manner so as not to cause a nuisance to residents.
7. Provision/maintenance of adequate toilet facilities will be detailed in the Event Management Plan and shown on the Event Site Plan and supplied and maintained throughout the event.
8. The camping area will be staffed when in use and all amplified music equipment will be banned within the camping area. The ban of amplified music equipment will be made clear in the T&Cs literature when tickets are purchased.
9. Events shall be limited to one three day event and eight one day events in any one calendar year.

**10.** Any noise associated with the event will be inaudible at the façade of noise sensitive dwellings after 23:00 hours.

**11.** Monitoring will be carried out at the following locations and levels will be recorded and supplied to Maidstone Borough Council Officers if requested:

Peens Lane  
Stilebridge Lane  
Church Hill  
Lower Farm Road  
Staplehurst Road  
Jcn of East Hall Hill and Wierton Hill.

All locations must be monitored at least once during any event.

**12.** A waste management plan will be adopted which will include litter clearances during and after each event. A waste contractor who is registered with the Environment Agency to handle waste will be used to remove the waste off the site. Appropriate waste containers will be provided for people attending the events

## APPENDIX G

**From:** Stephen Noble  
**Sent:** 05 July 2013 16:10  
**To:** Lorraine Neale  
**Subject:** FW: Police Conditions - Premises Licence application

FYI

**From:** Michael Swoffer  
**Sent:** 05 July 2013 16:00  
**To:** Stephen Noble  
**Subject:** RE: Police Conditions - Premises Licence application

Good afternoon Steve

Apologies for the delay in reply. I confirm that due to Mr Townsend agreeing to our conditions I withdraw any objections.

Many thanks

**Michael Swoffer**  
Pollution Technical Officer  
Environmental Enforcement  
Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent, ME15 6JQ  
t 01622 602458 w [www.maidstone.gov.uk](http://www.maidstone.gov.uk)

**From:** Stephen Noble  
**Sent:** 04 July 2013 17:01  
**To:** Michael Swoffer  
**Subject:** FW: Police Conditions - Premises Licence application

Hi Mike

Following receipt of the email below from Richard Townsend, can you please confirm you are withdrawing your objections to the Premises Licence application.

Many thanks

Steve

**From:** Richard Townsend [<mailto:r.etownsend@yahoo.co.uk>]  
**Sent:** 04 July 2013 16:56  
**To:** Stephen Noble  
**Subject:** Re: Police Conditions - Premises Licence application

Yes we are also happy with the EHO conditions.

Thanks again



Richard

Sent from my iPhone

On 4 Jul 2013, at 16:32, Stephen Noble <[stephennoble@maidstone.gov.uk](mailto:stephennoble@maidstone.gov.uk)> wrote:

No problems at all Richard. All part of the fun of Licensing!

Thanks for that. Are you happy with the EHO conditions as well?

**From:** Richard Townsend [<mailto:r.ETOWNSEND@yahoo.co.uk>]

**Sent:** 04 July 2013 16:30

**To:** Stephen Noble

**Subject:** Re: Police Conditions - Premises Licence application

Hi Steve

I can confirm that we are happy to agree with the police suggested condition.

Many Thanks and I hope this is not giving you too much trouble.

Richard

Sent from my iPad

On 4 Jul 2013, at 16:16, Stephen Noble <[stephennoble@maidstone.gov.uk](mailto:stephennoble@maidstone.gov.uk)> wrote:

Hi again Richard

Sorry about this, just tying up what loose ends I have, ..

As well as the EHO proposed conditions, could you also email me confirmation that you agree to the conditions suggested by the Police and are happy for them to be attached to the licence as well.

Many thanks again.

Steve

Stephen Noble

Licensing Enforcement Officer

Licensing Department

Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent, ME15 6JQ

t 01622 602255 m 07802265820 w [www.digitalmaidstone.co.uk](http://www.digitalmaidstone.co.uk)

### **IMPORTANT CHANGES**

*On 1 January 2010 Sevenoaks District Council, Tunbridge Wells Borough Council and Maidstone Borough Council formed the Licensing Partnership to process and issue licensing applications.*

*The Licensing Partnership has a central administration based at Sevenoaks, with Licensing*

*Officers located at each local licensing authority, together with admin support to deal with people visiting the Gateways.*

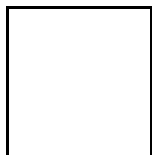
***Please send all licensing applications to:***

**+** Licensing Partnership

P.O. Box 182

Sevenoaks

Kent TN13 1GP



**email:** [licensing@sevenoaks.gov.uk](mailto:licensing@sevenoaks.gov.uk)

( tel: 01732 227004

**£** For all licensing applications please make cheques payable to: **"Sevenoaks District Council"**. Alternatively card payments may be made over the telephone.

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It is your responsibility to carry out Virus checks before opening any attachments

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 3:05 PM on 25 Jun 2013 from Mr Darryl Parker.

### Application Summary

**Address:** Eel House Farms Boughton Bottom Farm Lower Farm  
Road Boughton Mönchelsea Maidstone Kent ME17 4DD

**Proposal:** Premises Licence

**Case Officer:** Stephen Noble

[Click for further information](#)

### Customer Details

**Name:** Mr Darryl Parker

**Email:** [REDACTED]

**Address:** [REDACTED]

### Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Licensing Application

**Reasons for comment:**

- Crime Objections
- Noise Disturbance
- Opening Hours
- Parking
- Safety of Premises
- Traffic

**Comments:** 3:05 PM on 25 Jun 2013 The original documents relating to the above application appear to have been removed. However having previously viewed the online submission, I am objecting to the application, if it is still live, on the grounds highlighted above. Specifically the objection relates to unacceptable noise levels (previous events held at this location created an unacceptable and prolonged noise disturbance), and access roads are single track and not suitable for large amounts of traffic and parking.

## Lorraine Neale

---

**From:** Stephen Noble  
**Sent:** 02 July 2013 12:54  
**To:** Lorraine Neale  
**Subject:** FW: Comments for Licensing Application 13/01724/LAPRE

Mr D Parkers further latest objection.

Ta

S ☺

---

**From:** [publicaccess@sevenoaks.gov.uk](mailto:publicaccess@sevenoaks.gov.uk) [<mailto:publicaccess@sevenoaks.gov.uk>]  
**Sent:** 02 July 2013 12:07  
**To:** Stephen Noble  
**Subject:** Comments for Licensing Application 13/01724/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 12:08 PM on 02 Jul 2013 from Mr Darryl Parker.

### Application Summary

**Address:** Eel House Farms Boughton Bottom Farm Lower Farm  
Road Boughton Monchelsea Maidstone Kent ME17 4DD

**Proposal:** Premises Licence

**Case Officer:** Stephen Noble

[Click for further information](#)

### Customer Details

**Name:** Mr Darryl Parker

**Email:** [REDACTED]

**Address:** [REDACTED]

### Comments Details

**Commenter Type:** Neighbour

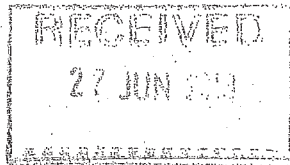
**Stance:** Customer objects to the Licensing Application

**Reasons for comment:**

- Crime Objections
- Noise Disturbance
- Opening Hours
- Parking
- Protection of Children from Harm
- Safety of Premises
- Traffic

**Comments:** 12:08 PM on 02 Jul 2013 The application appears to be a catch-all for any type of event, suggesting no business plan is in place. The proposed venue is totally unsuitable for large numbers of people, with a single lane B road being the only means of access/egress which is difficult

to navigate even with reduced levels of traffic. There is no provision for parking, rendering the area grid-locked as people attempt to find passing places and on-lane parking. The noise pollution will be intrusive and prolonged, detrimentally impacting the peaceful and rural environment. Previous private events have confirmed that the sound carries across the valley. There are already other venues in the locality providing live entertainment, and there is no data to suggest another venue is required or necessary. With large groups of people congregating I am concerned for their safety and welfare. For the local residents the potential for increased crime fuelled through prolonged licensing hours is a high risk.



2  
[redacted]  
Peens Lane  
Boughton Monchelsea  
Kent  
[redacted]

26<sup>th</sup> June 2013

**To Whom It May Concern:**  
**Maidstone Borough Council Licensing Office**

Dear Sir/Madam

I am writing with regard to the Notice of application for a Premise Licence to use a site at grid reference TQ7673048721 for the provision of regulated entertainment at Lower Farm Road, Boughton Monchelsea, Maidstone, Kent.

I strongly appose this application on the following grounds;

This is a very quiet rural area and I am aware the site will be used to run music festivals. I am not opposed to the occasional festival but am concerned that with the above licence they will be able to go ahead any day of the week 365 days a year! There have been festivals in the past and I can hear the loud music in my garden late at night.

I am also concerned regarding litter and sheer volume of traffic on small country lanes.

I appreciate the countryside should be enjoyed by all but I would hope that licences for these type of events could be applied for on an as and when needed basis.

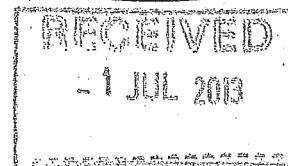
I would appreciate a response to my comments.

Regards

Marie-Antoinette Cox

[REDACTED]  
Wierton Hill,  
Boughton Monchelsea  
Maidstone [REDACTED]  
[REDACTED]

Maidstone Borough Council Licensing Office,  
Maidstone House,  
King Street,  
Maidstone,  
Kent ME15 6JQ



26 June 2013

Dear Sirs,

**Licensing Application 13/01724/LAPRE for site Grid Ref: TQ76730 48721**

We write concerning the above application and to stress our objection to a licence being given.

It is regrettable that we who live within a very short distance of the site get to hear about the application in an indirect way and not from Maidstone Borough Council.

The road passing the site is a very narrow single track road in a very poor condition with the surface broken up in places. Access for vehicular traffic is limited and in the event that activity takes place it would be difficult for ambulances or fire engines to get to the field and, more importantly, to the homes of people living in the area should they need emergency assistance. The road passing by the wood is constantly running in water and the wood is very boggy. There is a reason for it being called River Wood. Any surface water, or effluent, passing through the wood eventually finds its way into the River Beult, with the likelihood of contamination in the river, a river that has SSSI rating.

We who live on Wierton Hill already suffer noise pollution from noise generated by the Stilebridge Pub live band, which is three quarters of a mile or so further away. To have something even closer does not bear thinking about. Please do not forget that sound travels easily through free air, particularly on the prevailing SW wind.

Our preference is that there should be no activity at all. However, not wishing to be unreasonable perhaps a single activity in any one calendar year over a weekend, with sound level limited to below 80db and all sound and lighting to stop by 11.00 pm might be acceptable. Also, perhaps lighting could be angled down to minimise the effect on properties looking down on the site.

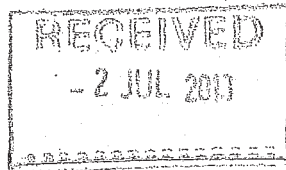
Surely local residents should be allowed to enjoy their homes and gardens without such an invasion.

Yours faithfully

[REDACTED]  
CJ and KJ Turpin

Pldv15





[REDACTED]  
Boughton Monchelsea  
Maidstone  
Kent  
[REDACTED]

Maidstone Borough Council  
Licensing Office

July 1 2013

Dear Sirs

Premises Licence Application 13/01724/ LAPRE

As nearby residents of the proposed site development in the captioned planning application we would like to express our concerns.

Firstly we have not had any notification from yourselves about this application despite the fact we would be directly affected, and have only heard about it from third parties. We would like to know why you have failed to notify relevant parties of this application which would have a direct impact on day to day lives.

It appears that the application is for a very extensive development of a 24 hour a day seven day a week facility that would cause significant NOISE and ENVIROMENTAL pollution in a quiet and peaceful rural area.

Noise, particularly amplified music travels significant distances especially at night. We have had occasion to complain in the past of loud amplified music emanating from the Weald ( not believed to be this site ) that can be heard clearly in the higher reaches of Wierton Hill where we live. We do not want to be in a position where we have to constantly complain simply because our enjoyment of the peace and quiet is being disturbed.

Furthermore it has to be a serious question whether the INRASTUCTURE of roads around the immediate area can support the number of vehicles these proposed events would attract. They are little more than singe lane country tracks where heavy traffic volume from visitors and equipment moving vehicles would cause damage to the surrounding countryside and environment let alone congestion and potential accidents. Furthermore access for emergency vehicles to the site and also to neighbouring properties when an event was on could be a major problem.



For these reasons we are opposed to the granting of a licence which has the potential for such a large scale development in the open countryside and which has such extensive late night opening hours stretching into the early morning. This could only have a significant detrimental impact on the surrounding area.

The occasional event properly supervised and monitored for compliance may be acceptable but even then one would not want amplified music beyond a certain time, probably 11pm. One would also probably not want more than one or two events per year.

We trust that our comments will be given due consideration by yourselves but we cannot see any reason how you can grant this application as presented.

Yours faithfully,

A black rectangular redaction mark covering the signature of the sender.

Mr and Mrs D E Collins

**Lorraine Neale**

---

**From:** Licensing [licensing@sevenoaks.gov.uk]  
**Sent:** 02 July 2013 14:21  
**To:** Licensing (MBC)  
**Subject:** FW: Comments for Licensing Application 13/01724/LAPRE

5

Good afternoon all,

The attached representation has been received via public access. Please could you confirm if it is valid.

Many thanks,

Janet.

**From:** publicaccess@sevenoaks.gov.uk [mailto:publicaccess@sevenoaks.gov.uk]  
**Sent:** 02 July 2013 12:21  
**To:** Licensing  
**Subject:** Comments for Licensing Application 13/01724/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 12:22 PM on 02 Jul 2013 from Mrs Louise Parker.

### Application Summary

**Address:** Eel House Farms Boughton Bottom Farm Lower Farm  
Road Boughton Monchelsea Maidstone Kent ME17 4DD  
**Proposal:** Premises Licence  
**Case Officer:** Stephen Noble  
[Click for further information](#)

### Customer Details

**Name:** Mrs Louise Parker  
**Email:** [REDACTED]  
**Address:** [REDACTED] Staplehurst Road, Marden, Kent [REDACTED]  
[REDACTED]

### Comments Details

**Commenter Type:** Neighbour  
**Stance:** Customer objects to the Licensing Application  
**Reasons for comment:**  
- Crime Objections  
- Noise Disturbance  
- Opening Hours  
- Parking  
- Protection of Children from Harm  
- Safety of Premises  
- Traffic  
**Comments:** 12:22 PM on 02 Jul 2013 I am objecting on the basis of unacceptable levels of traffic on a single track B road; little or no parking leading to gridlock; and unacceptable

levels of noise over a prolonged period detrimentally impacting the peace of a rural community and environment. I am also concerned about the safety and welfare of the visitors and residents, and the potential for increased levels of crime with the extended licensing hours.



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## Lorraine Neale

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**From:** Stephen Noble  
**Sent:** 03 July 2013 11:35  
**To:** Lorraine Neale  
**Subject:** FW: Comments for Licensing Application 13/01724/LAPRE

6.

FYI

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**From:** [publicaccess@sevenoaks.gov.uk](mailto:publicaccess@sevenoaks.gov.uk) [<mailto:publicaccess@sevenoaks.gov.uk>]  
**Sent:** 03 July 2013 10:44  
**To:** Stephen Noble  
**Subject:** Comments for Licensing Application 13/01724/LAPRE

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 10:45 AM on 03 Jul 2013 from Mr Leigh Highwood.

### Application Summary

**Address:** Eel House Farms Boughton Bottom Farm Lower Farm  
Road Boughton Monchelsea Maidstone Kent ME17 4DD

**Proposal:** Premises Licence

**Case Officer:** Stephen Noble

[Click for further information](#)

### Customer Details

**Name:** Mr Leigh Highwood

**Email:** [REDACTED]

**Address:** [REDACTED] s Staplehurst Road, Marden, Kent  
[REDACTED]

### Comments Details

**Commenter Type:** Neighbour

**Stance:** Customer objects to the Licensing Application

**Reasons for comment:**

- Crime Objections
- Noise Disturbance
- Opening Hours
- Parking
- Protection of Children from Harm
- Safety of Premises
- Traffic

**Comments:** 10:45 AM on 03 Jul 2013 I strongly object to the application. I am objecting on the following basis: The proposal is totally unsuitable for a quite and rural environment. There is poor road access, currently comprising a single lane B road which is difficult to navigate normally. There is no parking either on or off road and any additional traffic will cause gridlock. The noise levels will be intrusive and are totally unacceptable in such a peaceful rural environment, and there are

already numerous other venues within the locality that provide similar activities. There is an increased likelihood of crime with large groups of people congregating and consuming alcohol over long periods. With the large groups of people and increased traffic volumes there is also an increased health and safety risk, particularly for minors.

Lorraine Neale

---

From: emma walker [REDACTED]  
Sent: 03 July 2013 13:09  
To: Licensing (MBC); licensing@sevenoaks.gov.uk  
Subject: Licensing application comment: 13/01724 - Solar Collective, Eel House Farms

Dear Sir/Madam

I wish to object on the licensing application being made by Solar Collective for events at Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea Maidstone Kent ME17 4DD. As it currently stands, I do not think it represents a fair balance between their objectives and a consideration of the local rural community.

While I would accept, on neighbourly grounds, an annual three day 'festival', my comments on any additional events are as follows:

### Public Nuisance Grounds

#### Noise

- My understanding is that an additional 9 one day events may be held June - September. Assuming that these would be on a weekend, in common with all our neighbours these would **ruin my enjoyment of our garden and property more than every other weekend throughout the summer.** Further I do not believe that such a wide condition would 'protect the well being of local residents' - a stated objective of MBC's licensing policy. **I would therefore hope that a cap of a maximum additional three one day events be made.**
- Last year, the noise from the event appeared to be more accute on the hillside rather than the valley floor (this is not only true of Church Hill, where I live, but also having had feedback from neighbours on Wierton Hill and Loddington Lane). **I would therefore ask that an additional 'soundcheck' point be placed on Church Hill by the Church, or on Wierton Hill at a similar height.** The The East Hall Hill and Wierton Road / Hill junction point suggested at last night's Open Meeting is totally inappropriate as it is so enclosed.
- I understand that a cap of 11pm is set for any noise being produced on site. Provided this is strictly adhered to, I think this is fair.

#### Light

- I would hope that any lighting used on site is pointed downwards, rather than outwards.

### Public Safety Grounds

#### Traffic

- Richard Townsend said last night that the site would not accommodate more than 500 people. All the access roads to the site are single vehicle and regularly used by walkers, cyclists and

horseriders. While I suspect a one off event of this size would not cause too much disruption larger numbers obviously would. **I would hope, therefore, that the applicant would agree to a condition to a limit of 500 people at events.**

#### Emergency service access

- I do wonder how accessible the site would be to emergency services bearing in mind the position of the site and its distance from Maidstone, but I suspect this is under consideration by the relevant bodies.

#### Children at risk of harm

- I don't think it appropriate that children be in an environment where there is alcohol being served for such long hours, and the noise levels will be so high. I would hope that bearing in mind the potential attendance of children, and the site's proximity to woodland, that open bonfires will not be allowed.

Yours

Emma Walker

[REDACTED]  
Church Hill  
Boughton Monchelsea  
Maidstone  
Kent  
[REDACTED]  
[REDACTED]

--  
Emma Walker  
07940 490 896

---

**Lorraine Neale**

---

**From:** Stephen Noble  
**Sent:** 03 July 2013 16:41  
**To:** Lorraine Neale  
**Subject:** FW: 13/01724/LAPRE  
**Attachments:** Eels Farm Entertainment Licence Objection Licensing Act 2003.docx

FYI

Another one

S

-----Original Message-----

**From:** Emily Harrison  
**Sent:** 03 July 2013 16:39  
**To:** Stephen Noble  
**Subject:** Re: 13/01724/LAPRE

Hi Stephen

I've reworded it to be in line with the Licensing Act 2003.

Let me know if that can now be validated.

Many thanks indeed,

Emily

On 03/07/2013 15:40, Stephen Noble wrote:

--

EMILY HARRISON  
Monk Lakes Ltd

[REDACTED]

[REDACTED]



**Objection to Application: 13/01724/LAPRE - Eel House Farms Boughton Bottom Farm  
Lower Farm Road Boughton Monchelsea Maidstone Kent ME17 4DD - Premises Licence**

**Introduction**

We own a fishery immediately south of the application site for the above-listed application. The viability of an angling business depends almost entirely on the quiet environment of the immediate and surrounding area. Whilst I would support the business that Mr. Barlow is proposing in other, more appropriate locations, I cannot support it at the proposed application site because the effect that it will have on our business (and on the local residents) will outweigh any suggested benefits to the local community. The granting of such a licence would jeopardise the future of our established business. I would therefore like to raise an objection to the above-listed application based on the policies within the Licensing Act 2003:

**From the: STATEMENT OF LICENSING POLICY LICENSING ACT 2003 (AUGUST 2010)**

**19. Licensing Objectives**

The following sections set out the Licensing Authority's Policy relating specifically to the four licensing objectives:-

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

As stated in the introduction, our business is noise-sensitive. Our customers (anglers) fish during the day and night and include adults, teenagers and children. The distance between the edge of the proposed entertainment site and the edge of our angling complex is only 370m. There is almost no development between the 2 sites and the noise would carry directly to our fishery causing major disturbance to our customers; particularly the children staying onsite.

This disturbance would be classified as a public nuisance because of the disruption to the sleep of our customers and and general tranquillity of the area. This could be detrimental to the wellbeing of the children and teenagers on the site as they have been brought to the site to escape from the hustle and bustle of city life, to experience some tranquil Kent countryside. Local customers will often bring children mid-week who are returning to school the following morning. It is vital therefore that they get a good night sleep whilst at the fishery.

The noise generated from the application site, if granted, would seriously disturb our anglers sleeping outside at our fishery and could therefore jeopardise the future of the business.

The increased volumes of people, customer vehicles and supplier lorries, catering and staging equipment plus the actual events, people and use of alcohol would also cause a public nuisance.

**Mrs. Emily Harrison**

**[REDACTED], Staplehurst Road, Marden, Kent, [REDACTED]**

Lorraine Neale

---

From: Jonathan Gershon [REDACTED]  
Sent: 03 July 2013 19:22  
To: Licensing (MBC)  
Cc: licensing@sevenoaks.gov.uk  
Subject: Premises Licence Application 13/01724/ LAPRE - OBJECTION

10.9.

## OUR OBJECTIONS:

Premises Licence Application 13/01724/ LAPRE

My wife & I should like to object to this application.

The area is a very rural part of the parish, with narrow, windy single track road access. It is in the river valley, adjacent to and just above the River Beult, an SSSI. The Greensand Ridge rises above it to the north, where there are a larger number of residencies, leading upto the village of Boughton Monchelsea.

Whilst we recognise the need to make a living from the land & to use appropriate opportunities to run businesses, we would suggest that this is not an appropriate location for a such activities, for the following reasons:

- Noise Disturbance not just across the valley floor but especially up onto the Greensand Ridge where clear air allows sound to travel much further and with more volume and clarity.
- Light pollution in what is mostly a dark area.
- Proximity to the SSSI of the River Beult with the risk of pollution and damage to an already fragile but valuable natural river and banks.
- The woodlands and surrounding fields are home to a wider than normal variety of insects, birds and mammals.
- The roads would be congested and there would be real concerns for emergency vehicles for local residents / houses and for this event.
- The hours / days applied for are far too extensive.

Should this be granted, we would want clear controls put in place, to ensure residents continue to enjoy the rural peace. The applicant has already indicated some agreement to these at our last parish council meeting.

- No more than One 'three day event per year'
- A maximum of Five 'one day events per year'
- Events not to be on consecutive weekends / days
- Timings must be limited to no noise before midday or beyond 11pm
- Sound readings also taken on the open ridge
- A limit of 500 paid tickets for the 3 day event - less for one day events (250)

-A proper space for all vehicles & absolutely no vehicles parked on the road

-A full & proper ecological survey is needed to ensure minimum damage to this site & beyond

Jonathan Gershon & Sue Batt

[REDACTED]

Wierton Hill,

Wierton

Boughton Monchelsea

Kent M [REDACTED]

[REDACTED]

**Lorraine Neale**

---

**From:** Sara Hollingworth [REDACTED]  
**Sent:** 03 July 2013 19:57  
**To:** Licensing (MBC)  
**Cc:** licensing@sevenoaks.gov.uk  
**Subject:** Objections to application for a premises licence

10

To: [licensing@maidstone.gov.uk](mailto:licensing@maidstone.gov.uk), cc [licensing@sevenoaks.gov.uk](mailto:licensing@sevenoaks.gov.uk)

Dear Sir/  
Madam

I refer to the licensing application by Solar Collective Limited for events in Lower Farm Road, Boughton Monchelsea, Maidstone, Kent ME17 4DD (grid reference TQ76730 48721).

I attended a public meeting on 2<sup>nd</sup> July 2013 at which one of the directors of the applicant company, Mr. Richard Townsend, was present. I had hoped that my concerns would be allayed at the public meeting, obviating the need to make objection, but they were not. Mr. Townsend did give some assurances about the manner in which the events would be run and I would like to ensure that if the licence is granted, these assurances are translated into licence conditions. My objections are made on the following grounds:

#### Public Nuisance

Noise - My enjoyment of my home and my garden would be severely impaired. I work very hard during the week and enjoy relaxing in my garden at weekends, including in the evenings during the summer months. In this very rural environment, sound travels for long distances.

Litter - I regularly pick up litter from Church Hill and fear that the amount of this would be increased by the holding of events.

#### Public Safety

Traffic - All the access roads to the site are single track lanes and regularly used by walkers, cyclists and those on horse back. The addition of further traffic will inevitably cause conflict between users and grass verges to be eroded further.

Emergency service access - the site is not easily accessible to the emergency services.

#### Children at risk of harm

I am concerned to note that children are intended to be present at the site, where alcohol is intended to be served for long hours, and where the noise level will be high.

If, despite all objections, it is decided to grant the licence I would wish to see the following conditions imposed:

1. Local residents to be given ample notice of all events and details of a telephone number (which will be manned) at which any concerns before and during the events can be raised.
2. A limit (assessed by an expert) to be placed on the level of noise which is audible from the site at the nearest property.
3. No noise to be audible from the site after 11 pm and this condition to be capable of immediate enforcement action if breached. (At the public meeting, Mr. Townsend agreed to this time limit).
4. Events that run for more than one day to be limited to one per annum. (At the public meeting, Mr. Townsend agreed to this limit).

5. Additional one day events to be limited to three per annum.
6. Lighting to be unobtrusive.
7. A limit of 500 attendees per event.
8. Noise to be monitored at various specified points in the neighbourhood and various specified times and noise monitoring details to be supplied to the parish council. Places of monitoring to include hill top and valley bottom locations. Monitoring to be independently verified.
9. Arrangements to be made for the disposal of litter from the site and all litter to be picked from the adjacent lanes after each event.

Please confirm receipt of this email.

Yours faithfully

Sara Evans

Sara Evans

Church Hill

Boughton Moncheslea

Kent

**Lorraine Neale**

---

**From:** Sara Hollingworth [REDACTED]  
**Sent:** 03 July 2013 20:06  
**To:** Licensing (MBC)  
**Cc:** licensing@sevenoaks.gov.uk  
**Subject:** Objection to application for a premises licence  
**Attachments:** Letter to MBC from Mrs Sayers.pdf

Please see attached letter from Mrs Sayers of [REDACTED] Boughton Monchelsea [REDACTED]

Please confirm receipt.



[redacted]  
Church Hill,

Boughton Monchelsea

[redacted]  
July 3rd 2013.

licensing @ maidstone.gov.uk

licensing @ kennebecs.gov.uk

Dear Sir,

Re: Licensing application by Solar Collective at Gel House  
Farms, Boughton Bottom Farm, Leaver Road, Boughton Mon.  
Maidstone ME17 4DD.

I strongly object to this application as I consider that it would bring no benefit to the local community. On the contrary considerable distress would be felt due to noise and light pollution over a ~~too~~ wide area, and a heavy toll on the surrounding lanes which are already burdened by traffic using them as 'rat runs'.

The suggested frequency of events is far too great to be borne without concern and would be stressful to the community.

The proposal by Solar Collective is ill-conceived and entirely out of keeping with this largely peaceful rural area, therefore I object to the licensing application.

Yours faithfully,



**Lorraine Neale**

---

**From:** Martyn Scrivens [REDACTED]  
**Sent:** 03 July 2013 20:58  
**To:** Licensing (MBC); licensing@sevenoaks.gov.uk  
**Subject:** Objection to application for a premises licence

13

Dear Sir/  
Madam

I refer to the licensing application by Solar Collective Limited for events in Lower Farm Road, Boughton Monchelsea, Maidstone, Kent ME17 4DD (grid reference TQ76730 48721). I wish to object to the application for the following reasons.

#### **Public Nuisance**

Noise - Our enjoyment of our home and garden would be severely impaired. We enjoy relaxing in the garden at weekends, including in the evenings during the summer months. In this very rural environment, sound travels for long distances.

Litter would be dramatically increased by the holding of events.

#### **Public Safety**

Traffic - All the access roads to the site are single track lanes and regularly used by walkers, cyclists and those on horse back. The addition of further traffic will inevitably cause conflict between users and grass verges to be eroded further.

Emergency service access - the site is not easily accessible to the emergency services.

#### **Children at risk of harm**

Children are intended to be present at the site, where alcohol is intended to be served for long hours, and where the noise level will be high. Where are the protective controls around this activity.

If, despite all objections, it is decided to grant the licence I would wish to see the following conditions imposed:

1. Local residents to be given ample notice of all events and details of a telephone number (which will be manned) at which any concerns before and during the events can be raised.
2. A limit (assessed by an expert) to be placed on the level of noise which is audible from the site at the nearest property.
3. No noise to be audible from the site after 11 pm and this condition to be capable of immediate enforcement action if breached. (At the public meeting, Mr. Townsend agreed to this time limit).
4. Events that run for more than one day to be limited to one per annum. (At the public meeting, Mr. Townsend agreed to this limit).
5. Additional one day events to be limited to three per annum.
6. Lighting to be unobtrusive.
7. A limit of 500 attendees per event.
8. Noise to be monitored at various specified points in the neighbourhood and various specified times and noise monitoring details to be supplied to the parish council. Places of monitoring to include hill top and valley bottom locations. Monitoring to be independently verified.

9. Arrangements to be made for the disposal of litter from the site and all litter to be picked from the adjacent lanes after each event.

Please confirm receipt of this email.

Martyn & Elizabeth Scrivens



**Lorraine Neale**

---

**From:** James McDonald [REDACTED]  
**Sent:** 03 July 2013 22:39  
**To:** Licensing (MBC)  
**Cc:** licensing@sevenoaks.gov.uk  
**Subject:** Objection to 13/01724LAPRE  
**Attachments:** Boughton License Objn Draft.pdf

13.

Please find attached our objection to the above application.

[REDACTED]  
Lower Farm Road.  
Boughton Monchelsea,  
Maidstone,  
Kent.  
[REDACTED]

3<sup>rd</sup> July 2013

Maidstone Borough Council,  
Borough Council Licensing Office,  
King Street,  
Maidstone,  
ME15 6JQ.

Dear Sirs,

**Application by Solar Collective Ltd for a Premises Licence on farm at  
Boughton Bottom Farm, Lower Farm Road. Application 13/01724/LAPRE**

We write to object to the licence application referred to above. In our view the application conflicts with the licensing objectives in respect of:-

**the prevention of crime and disorder;  
public safety;  
the prevention of public nuisance.**

The licensing objective of preventing public nuisance would be seriously compromised. The proposed 24 hour a day operation will be detrimental to residential amenities. Sound carries. Open air entertainment, 24 hours a day, 7 days a week throughout the year would be severely detrimental to residents' quiet enjoyment of their homes over a wide area and would affect residents in the parish of Boughton Monchelsea. Activity associated with large crowds would result in noise, environmental pollution and public nuisance.

Public safety would also be compromised by the fact that Lower Farm Road and surrounding lanes are single tracks signed to say it is unsuitable for HGV with very few passing places. It is a significant distance from the A229, which makes access particularly unsuited for the activity proposed and difficult for the emergency services in the event of an emergency or if crime and disorder occurs.

Late night/early morning amplified music would constitute a public nuisance and as for the provision of alcohol and refreshments to go into the early hours may create crime and disorder due to drink drivers. This would then severely compromise public safety, not only in the vicinity, but also the wider area.

The Oast is very close to the site, in fact the nearest neighbour and it is this very quiet rural nature that is treasured which is largely unspoilt with an abundance of wildlife. A measure of which is the fact that we have Little Owls, visiting Barn Owls

and two Kestrels nesting on our property and that we fear too much noise, crowds of people and too many cars even for one day events and especially with a three day event, would drive these very important elements of our rural ecology away. There are already too few places in this area of Kent where these birds are able to nest and co-exist with the residents. To risk destroying yet another of these rare habits would be unforgiveable.

Should the applicant be successful in obtaining a licence and I sincerely hope this is not the case, strict provisions need to be put in place. The applicant has agreed, should it be granted, that he'll have no more than one, three day event per year, with a maximum of 500 paid tickets, however we wish to see the following implemented:

- To control the time that amplified music can be played, such as midday to no later than 11pm.
- Noise to be inaudible outside the application site boundary after 11pm.
- A maximum of 2 events per year.
- Events not to be on consecutive weekends.
- 3/6 months notice to be given to residents in the vicinity.
- One day events should also have restricted ticket sales, possibly 250.
- Sufficient parking for all vehicles on application site, so there are no obstructions to Lower Farm Road and surrounding lanes.

We appreciate that farms need to diversify in these economic times, but this is not a suitable application for a quiet countryside setting.

The proposal conflicts with the licensing objectives and I urge the Council to reject the application.

Yours faithfully,

Mr. & Mrs. D. McDonald

**Lorraine Neale**

---

**From:** Evans, Andrew [REDACTED]  
**Sent:** 03 July 2013 22:58  
**To:** Licensing (MBC)  
**Cc:** 'licensing@sevenoaks.gov.uk'  
**Subject:** Fw: Objection to application for a premises licence

14

Resent

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**From:** Evans, Andrew  
**Sent:** Wednesday, July 03, 2013 10:24 PM  
**To:** licensing@maidstone.gov.uk <licensing@maidstone.gov.uk>  
**Cc:** licensing@sevenoaks.gov.uk <licensing@sevenoaks.gov.uk>  
**Subject:** Objection to application for a premises licence

Dear Sir/

Madam

I refer to the licensing application by Solar Collective Limited for events in Lower Farm Road, Boughton Monchelsea, Maidstone, Kent ME17 4DD (grid reference TQ76730 48721).

My wife attended a public meeting on 2<sup>nd</sup> July 2013 at which one of the directors of the applicant company, Mr. Richard Townsend, was present. I had hoped that my concerns would be allayed at the public meeting, obviating the need to make objection, but as reported to me they were not. I understand that Mr. Townsend did give some assurances about the manner in which the events would be run and I would like to ensure that if the licence is granted, these assurances are incorporated into licence conditions. My objections are made on the following grounds:

#### Public Nuisance

Noise - My enjoyment of my home and my garden would be severely impaired. I work very hard during the week in London and enjoy relaxing in the peace and quiet of my garden at weekends, including in the evenings during the summer months. In the countryside sound travels for long distances.

Litter - My wife and I regularly pick up litter from Church Hill and I think it likely that the amount of litter would be increased in Lower Farm Road and its environs by the holding of the proposed events if the litter produced by similar events is anything to go by.

### Public Safety

Traffic - All the access roads to the site are single track lanes with blind corners and regularly used by walkers, cyclists and riders on horse back. The addition of further traffic will inevitably cause conflict between users and could cause a serious accident.

Emergency service access - the site is not easily accessible to the emergency services.

### Children at risk of harm

I am concerned to note that children are intended to be present at the site, where alcohol is intended to be served for long hours, and where the noise level will be high. I am also concerned about the possibility of drug use.

If, despite all objections, it is decided to grant the licence I would wish to see the following conditions imposed:


1. Local residents to be given ample notice of all events and details of a telephone number (which will be manned) at which any concerns before and during the events can be raised.
2. A limit (assessed by an expert) to be placed on the level of noise which is audible from the site at the nearest property.
3. No noise to be audible from the site after 11 pm and this condition to be capable of immediate enforcement action if breached. (At the public meeting I understand that Mr. Townsend agreed to this time limit).
4. Events that run for more than one day to be limited to one per year. (At the public meeting I understand that Mr. Townsend agreed to this limit).
5. Additional one day events to be limited to three per annum.
6. A condition is attached to lessen the possibility of light pollution.
7. A limit of 500 attendees per event.
8. Noise to be monitored at various specified points in the neighbourhood and various specified times and noise monitoring details to be supplied to the parish council. Places of monitoring to include hill top and valley bottom locations. Monitoring to be independently verified.
9. Arrangements to be made for the disposal of litter from the site and all litter to be picked from the adjacent roads after each event.



Please acknowledge receipt of this email.

Yours faithfully

Andrew Evans

  
Church Hill

Boughton Moncheslea

Kent  


**Consider the environment - please think before you print.**

Field Fisher Waterhouse LLP 35 Vine Street London EC3N 2PX

Tel +44 (0)20 7861 4000 Fax +44 (0)20 7488 0084 E-mail [info@ffw.com](mailto:info@ffw.com)

Web [www.ffw.com](http://www.ffw.com) CDE 823

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- that a maximum of four additional events of less than 24 hours' duration with numbers limited to 200 may take place between June and September

- that such events should finish no later than 11pm and that alcohol should not be sold on any day before 12 noon or after 11pm.

Please acknowledge receipt of this objection and keep us informed of any relevant hearings.

Yours faithfully

Marice and Dominic Kendrick

[REDACTED]

Church Hill

Maidstone

[REDACTED]

**Lorraine Neale**

16

**From:** Richard Coulson [REDACTED]  
**Sent:** 04 July 2013 08:59  
**To:** Licensing (MBC)  
**Cc:** licensing@sevenoaks.gov.uk; Caroline Maddocks  
**Subject:** License Application - 13 / 01724 / LAPRE (Field at Eel House Farm - Events - Solar Collective Ltd)

Dear Sir / Madam

We have been made aware of the above-caption events license application - very disappointingly by our neighbours rather than any direct communication from the planning / licensing authorities, even when we live just a little over one mile from this location, and right on one of the only access lanes to it (at Spindlewood ME17 4JS).

We have tried repeatedly to raise our strong objection to this proposed licensing on your website, however the site times out and will not save our comments, hence the direct email instead - noting midnight tonight is the deadline for comments to be raised to the authorities on this application.

Our strong objections are threefold:

- **Crime and Disorder:**
  - We are very concerned that such late night events involving alcohol will attract large number of visitors to an area that is otherwise 'off the beaten track'.
  - We have an active neighbourhood watch community that successfully community polices the local area given the volume of passers-through that we have, however, with such significantly increased numbers of visitors, we would not be able to cope with policing this.
  - We specifically moved to the area (and paid a high premium) to have a safe and secluded location, as I am away travelling alot and my wife is often alone at home, and we see that more strangers - especially those who might be alcohol fuelled late night, would significantly and unjustly increase the risk of criminal or disorderly activities in our area.
  - Such events at this location already attract members of the travelling community, who are intrinsically linked to increased opportunist crime, which again is simply unacceptable to put our community at such risk from your decision.
- **Public nuisance:**
  - Another key reason for moving to the countryside (and again paying a premium for it) is the peace, darkness and quiet that it offers. Being in a valley, the noise and light pollution from the one event already held at this location is significant and detracts from our rightful enjoyment of our very special local area.
  - The area is a rare and important hive of wildlife activity, and the additional noise, light and traffic pollution cannot only detract and disturb this delicate environment.
  - Such events at this location already leave behind significant amounts of litter in the surrounding lanes, which is also simply unacceptable - being anti-social, unsightly and presenting a risk to the local wildlife.
- **Public safety:**
  - Our lanes that would be used as sole access to the location are single track, already in very poor repair after weather damage, and often lead straight onto people's properties. As such, the significant increase in traffic that these events will bring will put unmanageable increased pressure on our roads, and put other users at risk.
  - Visitors to this location previously have often not been familiar with country lane driving etiquette, and drive at unsafe high speeds, putting themselves, others and wildlife at risk, and further damaging the already delicate roads.
  - Similarly, being in a rural location and taxis / hotels not being readily available locally, there is an increased risk of attendees drink driving, which puts everyone's public safety at risk.
- **Children at risk of harm:**

- As per the above, the benefits of a quiet rural location are that children can move relatively freely around, and again, where houses are close to the lanes (all having high hedges and blind bends) around us, there is a real risk that they could be endangered due to the significantly increased through-flow of traffic.

In summary, we are all very aware of land owners needing to find alternative ways of making money from their land, and we are fully supportive of this – especially where it is for the benefit of the local rural community. This application however, is for the benefit of one individual / company, and there are no benefits whatsoever for local residents or businesses, who will simply suffer the consequences of these events being held – no matter how irregularly they petition that they might be held.

At your disposal should you require any additional information.

Best Regards

Richard

**Richard Coulson** FCII FIRM | Divisional Director  
**RKH Financial Risks** | One Whittington Avenue London EC3V 1LE  
 Phone +44 (0) 207 456 7970 | Mobile +44 (0) 7507 648 893 | [richard.coulson@rkhib.com](mailto:richard.coulson@rkhib.com)

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**Lorraine Neale**

---

**From:** Marice Kendrick [REDACTED] 15  
**Sent:** 03 July 2013 22:58  
**To:** Licensing (MBC)  
**Cc:** licensing@sevenoaks.gov.uk  
**Subject:** Application by Solar Collective Ltd for premises licence at grid.ref. TQ7673048721

Dear Sir/Madam

We wish to register our objection to the licensing application for events at Eel House Farms, ME17 4DD. We live at Boughton Monchelsea Place, ME17 4BU and the granting of a licence in the wide terms sought by the applicant would have the potential to seriously affect our quiet enjoyment of our home and its environs.

The applicant has previously held one event at these premises, in 2012, which was a three-day event open to ticket-buying public. We, along with other local residents, were given good notice of this event, were advised of its hours of operation and were warned that noise from the event might be audible to us. Indeed this proved to be the case, but in the spirit of good-neighbourliness we did not object as we understood it was a one-off. In a scattered rural community such as ours, in the interests of good neighbour relations, it is important that there be a certain amount of 'live and let live'.

The current application, however, has come as a real shock and we are seriously concerned by the public nuisance implications if the applicant were to be granted a licence to hold up to 10 events from June 1st to 30th September, a period covering only 17 weeks. We understand from Richard Townsend that such events would most likely take place at the weekends. The prospect of being subjected to noise from these events for potentially more than 50% of the weekends in the the peak summer season is horrifying to us. In our view, to grant such a licence would be completely to disregard the well being of local residents.

We feel that particular note should be taken of the slightly unusual geography of the land between the upper reaches of Church Hill and the premises for which the licence is sought, the steepness of the intervening slopes causing noise to be bounced around to the extent that it can be more of a nuisance on the slopes of Church Hill than at points which are nearer to the subject premises but geographically more low-lying than Church Hill.

In addition to the noise pollution, we seriously question whether the local road network would be able to cope with the regular influx of several hundred persons and their vehicles. Many of the local roads, including that on which the premises is situated, are narrow single-track country lanes popular at weekends to ramblers, cyclists, dog walkers and riders. The increased traffic, congestion and pollution which would be sure to result from regular events being held at Eel House Farms would seriously affect the enjoyment of all these classes of road users and would effectively destroy the quiet rural atmosphere so enjoyed at present.

We would not be minded to object to the granting of a licence for a one annual 3-day event as was held in 2012, and perhaps a small number of additional 1-day events - say, up to 4 more over the June to September period, which would still mean that almost one in three of the summer weekends would be affected - but to extend the licence any further than this would be severely detrimental to the well-being of the local community.

In summary, we feel that strict conditions must be attached to the granting of any licence, such conditions to include the following stipulations:

- that only one 3-day event may be held in any 12 month period, and the number of attendees for this event be limited to 500,



Lorraine Neale

From: emma walker [REDACTED]  
Sent: 04 July 2013 09:17  
To: Licensing (MBC); licensing@sevenoaks.gov.uk  
Subject: Licensing application comment: 13/01724/LAPRE - Andrew Walker

17.

Dear Sir/Madam

I wish to object to the licensing application being made by Solar Collective for events at Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea Maidstone Kent ME17 4DD. My objections are on the following grounds.

**Public nuisance: noise**

Given that this is an open air site, public noise nuisance is inevitable. This is even more obviously the case in what is otherwise a quiet, rural area.

Unlike in the case of an indoor venue in a central urban area, this justifies noise mitigation measures and a significant limitation on the number and duration of any events, and the number of people attending. That is if any licence is to be granted at all; and I suggest that an outright refusal would be a proper and permissible response, although most of us would be prepared to put up with one weekend event - the applicant's main wish, as I understand it - if it can be kept within reasonable limits.

I have seen a suggestion that there should be a maximum noise level of 65dB. This is too high and not only should a lower noise limit be imposed, but also a restriction on more than one event (which is all that the applicant can really show that it wants, never mind what it can show would be reasonable). My reasons are:

1. **As I understand them, World Health Organisation guidelines ( Guidelines for Community Noise ) stipulate that an average noise level of 55dB is the level at which noise becomes a serious annoyance during daytime hours** (which they take as being up to 11pm). That is 10dB less than the suggested level of 65dB. On any view, the proposed noise level will result in a serious noise nuisance.
2. **Because the dB scale is an exponential scale, an increase of 10dB involves a subjective DOUBLING in loudness.** As a result, the proposed level would be a level double that at which noise causes a serious annoyance.
3. That is the case in any area, but it will be even more so in the case of a quiet, rural area, such as the area surrounding the application site. **The ambient noise levels in such an area are relatively low, so a noise level of 65dB would represent a level many times above the ambient noise level**, and will as a result cause much more of a nuisance and have a much greater negative impact on local residents and the public trying to enjoy the local countryside than a similar event in an urban area.
4. **British Standard 4142:1997, Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas**, describes an increase in noise levels of 10dB over background noise levels as an increase which will have an impact likely to give rise to complaint: in other words, enough to give rise to a significant impact on neighbours. On any view, a level of 65dB will be far in excess of a 10dB increase over the background noise levels in the location of the application site.
5. Those figures apply to general noise levels. Certain types of noise are inherently more intrusive than others, even at much lower levels: **noise that BS4142 refers to as having distinct acoustic features, and to which it applies a 5dB increase, instead of the 10dB increase mentioned in point 4 above.** This applies in particular to repetitive, pulsating noise, and even more so at low frequencies (which carry further). Low frequencies are typical of rhythm and bass. Pulsating, repetitive noise, with a lot of rhythm and bass, is just the sort of noise that the applicant wishes to generate. It is also just the type of noise that has already occurred, and has been found by local residents to be the most intrusive.
6. Given the lack of sound attenuation that the woods provide which are only on two sides of the site anyway, particularly for properties (and those walking along) on the Greensand Ridge, **the impact of this noise is experienced across a wide area, particularly the low frequency, pulsating noise** (as has already been established by the experience of last year's 'festival' and, indeed, a much smaller event the previous year at around the same time of year). The local areas include the Greensand Way long

distance path along the ridge above the application site, and the regularly-visited (particularly at weekends) Boughton Monchelsea church graveyard, just below the Greensand Way.

7. The intention appears to be is to hold events in the Summer. **This is just the time when local residents will be outside in their gardens, and many other members of the public will be walking in the surrounding countryside**, including along the Greensand Way (which is given special protection, as I understand it, in a planning context). As a result, the noise impact will be greater than it might otherwise be, and more significant for the public. This is even more so at the time of the intended main event, which is no doubt at the height of Summer (as it was in 2012). If the weather is anything like it was in 2012, local residents will need to have windows and doors open, at the expense of having to suffer the noise even indoors. The noise impact will be even more significant, as a result. This impact goes far beyond what is reasonable.

8. Given the size of the site and the limited numbers that it can safely accommodate, it is difficult to see how the applicant can justify a need for a noise limit anything like as high as 65dB. Indeed, given that they advertised last year's event as supposedly focussing on 'acoustic' music, it is difficult to understand why they are seeking permission for amplified music at all. It is the amplified music which is the primary source of the noise nuisance. **Given the very high level of nuisance that the proposed noise will cause, it should be for the applicant to justify the need for such a noise level.** Without such justification, the balance must clearly be struck in favour of limiting the permitted noise to a much lower level during the day.

9. **It is not just a question of technical noise levels. It is a question of the impact experienced by local residents**, and other members of the public. It is clear from the experience of local residents during last year's event that music was being played at such a level that local residents could hear it quite clearly, all day long, outside their homes, particularly the pulsating aspect of the music. But not only this, it was at such a level that it could be heard indoors, even with all windows and doors closed. That was my direct, personal experience from having put up with the festival for the whole of a Summer weekend last year. That is simply unreasonable, for any number of events. It is even more unreasonable if it cannot be shown to be necessary, and the applicant has made no attempt to do that. It is one thing to have to put up with clearly audible music that you have no wish to hear, throughout the day for a whole weekend: it is intolerable to have to do so on several occasions (particularly weekends) throughout the Summer. It is thoroughly unreasonable for the applicant to wish to put us all through that, with no local benefit whatsoever.

#### **Previous failure to comply with licence conditions relating to noise:**

There is an added, important concern on this point. Last year's event breached the temporary licence terms. Most obviously, it did so by music continuing at a level that could be heard indoors with windows closed until as late as between 1.30am and 2am on the second evening.

So far, the applicant appears simply to have denied that this was anything to do with their event, but that is just untenable: it clearly was.

When I attempted to raise this by telephone using the number on the applicant's website there was no answer. I made several attempts to do that. It was only when those had failed, and that I was at the end of my tether when still awake at 1.30am that I contacted the Council's Environmental Health Department. They told me that the event was in breach of their conditions, and that they would raise it with the organisers. At their suggestion, I called the number that they gave me for Kent Police, in the hope that a car might be in the area and able to pass by and resolve the situation. The Council's Environmental Health Department will have a record of this complaint.

I believe that the Police may have visited the site and believed that the sound being produced was not too loud - but again the sound rises up the ridge and it surely shouldn't have been as loud as to stop me getting to sleep nor even still audible at that time of night?

We do not believe that the applicant will act responsibly or with any concern for the impact of their proposed events on others. **There was no attempt at notifying, or discussing this application with, locals or even neighbours - in fact we only learnt of it by chance. This shows a complete disregard for the local community, when it is obvious that such an event/events will have such a large impact on them.** Moreover, I am told that at the Open Meeting (which I was unfortunately unable to attend) he seemed unable/unwilling to acknowledge the impact events would have on the local community, instead taking the opportunity to stress his 'solar' credentials. It is legitimate for the Council to take this complete lack of concern into account in deciding what conditions to impose, and whether to permit more than one event. Such a lack of consideration for others justifies a striking of any balance clearly in favour of local residents.

#### **Nuisance through Number of events:**

Given that any level of amplified music will cause a public noise nuisance, the Council should also limit the number of events to one. This accords with the applicant's approach last year, and in the previous year. The applicant has not sought to justify any reason for additional events, or to provide any justification for subjecting local residents and the public using the local countryside to a greater level of public nuisance than a single event will cause.

If a noise level of 65dB (or anything like that) were to be permitted at the main event, then this would be an added reason not to permit any additional events, certainly events with amplified music.

**Nuisance through traffic / public safety:**

The access to the site is along narrow, rural lanes. These cannot accommodate significant traffic of any sort. In order to strike the right balance on this ground as well, the council should impose a limit of no more than 300 people attending any one event, which I understand is the approximate number of people who attended last year's event. The previous year, there was another event which appears to have been much more modest, but that was still intrusive even at a much more modest level. A limit of 300 is known already to be a number at which significant public nuisance will be caused: any greater number will cause an event greater nuisance. There is no justification for any higher limit.

A limit on numbers to 300 would also assist in reducing the safety concerns that inevitably follow from large numbers of people attending a site with such limited access (including for emergency vehicles) and facilities, in the open air. The application site is an agricultural field and small area of woodland. It is not designed or well suited for events, nor is it capable sensibly of accommodating more people than this. Unless the applicant can clearly show otherwise, a limit of 300 people, and only a single event, would involve the council striking a reasonable balance.

**Please acknowledge receipt of this email.**

Andrew Walker  




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**Lorraine Neale**

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**From:** Stephen Noble  
**Sent:** 04 July 2013 10:36  
**To:** Lorraine Neale  
**Subject:** FW: Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea Maidstone Kent ME17 4DD

18

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**From:** caroline [mailto: ]  
**Sent:** 04 July 2013 10:35  
**To:** Stephen Noble  
**Subject:** RE: Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea Maidstone Kent ME17 4DD

Crime and Disorder: This may be a risk regarding attracting illegal substance abuse  
Public Safety – poor road infrastructure- accidents more likely  
Public Nuisance- Noise, traffic, litter

Sorry I don't have time to elaborate

Best wishes

Caroline

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**From:** Stephen Noble [mailto:stephennoble@maidstone.gov.uk]  
**Sent:** 04 July 2013 10:16  
**To:** 'caroline'  
**Subject:** RE: Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea Maidstone Kent ME17 4DD

Good morning Mrs Jessel

Thank you for your email.

At this time I am unable to consider your objection as valid under the terms of the Licensing Act 2003.

If you have objections to the application for a Premises Licence, your objections need to reflect concerns which could impact upon the 4 Licensing Objectives of Crime and Disorder, Public Safety, Public Nuisance and the Protection of Children from Harm. If you wish to resubmit any objections citing reasons which relate to the Licensing Objectives above, we will be happy to receive it.

Please be aware the deadline for such objections is midnight tonight.

If you have any questions, please feel free to contact me

Best regards

Stephen Noble  
Licensing Enforcement Officer  
Licensing Department  
Maidstone Borough Council, Maidstone House, King Street, Maidstone, Kent, ME15 6JQ  
t 01622 602255 m 07802265820 w [www.digitalmaidstone.co.uk](http://www.digitalmaidstone.co.uk)



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**From:** caroline [REDACTED]

**Sent:** 04 July 2013 09:58

**To:** Richard Timms; Licensing (MBC)

**Cc:** Paul Lewis; Dev Man Corporate Support

**Subject:** Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea Maidstone Kent ME17 4DD

Dear Sirs

## **Re: Field at Eel House Farm - Events - Solar Collective Ltd**

I wasn't able to find this application on your website but I hope you will accept this objection as the deadline is today. I strongly object to this application for regular musical events and alcohol licensing in this beautiful, peaceful part of the local countryside. It is a very near the River Beult, a Site of Special Scientific Interest (reasons below) and surrounded by lovely woodland in which reside the few Little Owls and hedgehogs which can now be found in this area. Although there are few residents nearby this is not a reason to allow this plan as we need to protect our biodiversity and particularly more sensitive habitats from noise, traffic and potential pollution.

In addition the roads are very narrow and badly maintained in that area so I would suggest congestion and damage to infrastructure is likely.

In favour of the application is the plan to use entirely renewable energy.

Kind regards

**Caroline**

Dr Caroline Jessel/Mrs Caroline Lewis

[REDACTED]  
Boughton Monchelsea  
Maidstone  
[REDACTED]  
[REDACTED]

### **SSSI status of the Beult**

The River Beult flows for most of its length over Wealden clay which influences its ecology. It is one of the few clay rivers in England which retains a characteristic flora and fauna. This type of river occurs predominantly in central England and has usually been canalised for land drainage purposes.

The Beult flows through an agricultural catchment with sheep and cattle pasture, orchards and arable land. River flows are dependent on surface run-off and weirs are placed in spring to maintain levels. In common with many lowland rivers, the Beult has suffered some enrichment with phosphate and nitrate from sewage effluent and agricultural run-off. The section of river being notified, from Smarden to the Medway confluence, excludes the upper river which is ditch-like with an impoverished fauna and flora.

### **Vegetation**

The River Beult has a characteristically diverse clay-river flora, with many emergent (water edge) plant species and a smaller number of submerged or floating plants. The total for the river and banks approaches 100 species, including 11 mosses and liverworts.

The river channel is dominated by floating plants like yellow water-lily *Nuphar lutea*, arrowhead *Sagittaria sagittifolia*, and duckweeds, particularly *Spirodela polyrhiza* which can form a continuous cover over the water surface. Other common plants include white water-lily *Nymphaea alba*, flowering rush *Butomus umbellatus*, unbranched bur-reed *Sparganium emersum* and stands of bulrush *Schoenoplectus lacustris*. Submerged plants include five species of pondweed *Potamogeton berchtoldii*, *P. crispus*, *P. obtusifolius*, *P. pectinatus* and *P. natans* as well as rigid hornwort *Ceratophyllum demersum* and spiked water milfoil *Myriophyllum spicatum*. Characteristic river-bank plants include water chickweed *Myosoton aquaticum*, amphibious bistort *Polygonum amphibium*, celery-leaved buttercup *Ranunculus sceleratus*, great yellow cress *Rorippa amphibia*, water plantain *Alisma plantagoaquatica*, and purple loosestrife *Lythrum salicaria*.

Our Reception is located at the Maidstone Gateway, King Street, Maidstone, Kent ME15 6JQ

<http://www.maidstone.gov.uk>

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19.  
**Lorraine Neale**

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**From:** paul lewis [REDACTED]  
**Sent:** 04 July 2013 10:58  
**To:** Licensing (MBC)  
**Subject:** re:licence for Eel House Farm

[REDACTED]  
Wierton Hill  
Boughton Monchelsea  
Maidstone  
[REDACTED]

Application 13 / 01724 / LAPRE

I am unable to access your website which is very slow to download.

I am very apprehensive about this application for evening events on this site. A wedding once a year or so would be acceptable but to hold a series of events in the course of a year is not.

Access to the site is through narrow ill maintained lanes and potentially hazardous if more than a small number of vehicles are involved.

Light and noise pollution in a very attractive area are a real problem and need to be minimised.

Yours sincerely  
Paul Lewis

20+20

**Lorraine Neale**

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**From:** Stephen Noble  
**Sent:** 04 July 2013 12:34  
**To:** Lorraine Neale  
**Subject:** FW: 13/01724/LAPRE – Premises Licence at Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea, Maidstone, Kent, ME17 4DD  
**Attachments:** Licence Application Formal Consultation Response.pdf  
**Importance:** High

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**From:** Licensing [mailto:licensing@sevenoaks.gov.uk]  
**Sent:** 04 July 2013 12:32  
**To:** Stephen Noble  
**Subject:** FW: 13/01724/LAPRE – Premises Licence at Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea, Maidstone, Kent, ME17 4DD  
**Importance:** High

Please confirm rep is valid ☺

Sue Lee  
Licensing Administration Officer  
Licensing Team  
Tel: 01732 227459  
Fax: 01732 742339  
Web: [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk)

*P please don't print this e-mail unless you really need to*

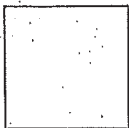
**The Licensing Partnership**

Sevenoaks District Council, Tunbridge Wells Borough Council and Maidstone Borough Council have a Licensing Partnership to process and issue licensing applications.  
Applications should be sent to the address below where there is a central administration.  
Licensing Officers are located at each local licensing authority, together with admin support to deal with people visiting the Gateways and Tunbridge Wells Town Hall.

Please send all licensing applications to:



Licensing Partnership  
P.O. Box 182  
Sevenoaks  
Kent TN13 1GP



email: [licensing@sevenoaks.gov.uk](mailto:licensing@sevenoaks.gov.uk)



tel: 01732 227004

**Payments:** For all licensing applications please make cheques payable to: "Sevenoaks District Council".  
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**From:** Alex Bateman [mailto: [REDACTED]]

**Sent:** 04 July 2013 12:24

**To:** Licensing

**Subject:** 13/01724/LAPRE – Premises Licence at Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea, Maidstone, Kent, ME17 4DD

**Importance:** High

Dear Sirs,

Please find attached a representation on the Licence Application at Eel House Farms.

Could you please confirm that this has been received and will be taken into consideration in determining the application.

Regards,

**Alex Bateman BA (Hons) MSc MRTPI**

Planner

Strutt & Parker LLP

201 High Street

Lewes

East Sussex

BN7 2NR

Direct line +44 (0) 1273 407068

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**STRUTT  
PARKER**

**BY EMAIL ONLY**

Mr Stephen Noble

[licensing@sevenoaks.gov.uk](mailto:licensing@sevenoaks.gov.uk)

Direct dial: 01273 407068

Email: [alex.bateman@struttandparker.com](mailto:alex.bateman@struttandparker.com)

Our ref: AB

3 July 2013

Dear Mr Noble,

**13/01724/LAPRE – Premises Licence at Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea, Maidstone, Kent, ME17 4DD**

We write with reference to the above licence application on behalf of our clients, Mr and Mrs William Hayes (of [REDACTED] House, Loddington Lane, Linton, Kent, [REDACTED]) and Mr Daubeny (of [REDACTED] House, Loddington Lane, Linton, Maidstone, Kent, [REDACTED]). Both of our clients live in close proximity to the application site and are neighbouring landowners.

We write on our clients' behalf to request a number of conditions which should be attached to any approved licence. If the applicant is not willing to agree to such conditions, then this should be taken as a formal objection.

**Background**

The licence application is made on behalf of Solar Collective Ltd. The company is described as one which aims to attract social and environmentally responsible behaviour. The licence application applies to the nine following elements:

Plays	Monday	Midday - Midnight
	Friday	Midday – 2am
	Saturday	Midday – 2am
	Sunday	Midday – 2am

Films	Friday	Midday – 4am
	Saturday	Midday – 2am
	Sunday	Midday – 2am

Live Music	All week	24 hours a day
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Recorded Music	All week	24 hours a day
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Performance of Dance	All week	24 hours a day
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Street Performance	All week	24 hours a day
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**RICS** Regulated by RICS

Late Night Refreshments	All week	11pm – 5am
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Supply of Alcohol	Monday	Midday - Midnight
	Tuesday	Midday - Midnight
	Wednesday	Midday - Midnight
	Thursday	Midday - Midnight
	Friday	Midday – 2am
	Saturday	Midday – 2am
	Sunday	Midday - Midnight

Hours open to the Public	All week	24 hours a day
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The applicant also aims to submit an Event Management Plan and Operating Schedule if this is required by condition.

### Licensing Act 2003

On 24 November 2005 the Licensing Act 2003 came into force bringing with it a new licensing regime dealing with the following licensable activities

- The sale and supply of alcohol;
- The provision of regulated entertainment (covering music, music and dancing, film, theatre and indoor sports); and
- The provision of late night refreshment (hot food and drink after 23.00).

This new licensing system was introduced by the Government with several aims and objectives:-

- To simplify what was considered to be an unnecessarily bureaucratic licensing process;
- To provide better and more proportionate regulation to give business greater freedom and flexibility to meet customer expectations;
- To provide greater choice for customers, including tourists, about where, when and how they spend their leisure time;
- To encourage more family friendly premises where younger children can be free to go with the family;
- To further the development within our communities of our rich culture of live music, dancing and theatre both in rural areas and town centres;
- To regenerate areas that need increased investment and employment opportunities that a thriving and safe late night economy can bring; and
- To provide necessary protections for local residents whose lives can be blighted by disturbance and anti-social behaviour associated with the behaviour of some people visiting places of entertainment.

The new licensing regime is administered by the licensing partnership of the area – comprising of Sevenoaks District Council, Maidstone Borough Council and Tunbridge Wells Borough Council. The new regime involves the licensing of premises used for the licensable activities set out above under premises licences, club premises certificates or temporary event notices; and the licensing of individuals who are in a position to authorise alcohol sales under personal licences.



The Act sets out four licensing objectives

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

As one of the protections for local residents the process for applying for both premises licences and club premises certificates provides for public consultation to be carried out and for local residents and businesses to voice their opinions on local applications through the making of representations.

### **Representation**

A representation must address the effect or potential effect of the proposed operation of the premises concerned on one or more of the four licensing objectives set out above. No other matters can be taken into account.

### **Prevention of crime and disorder**

Solar Collective state in their application that they will consult with the local police force and security will be provided by a Security Contractor who will undertake vehicle searches to prevent unauthorised generators/sound systems/excess alcohol/prohibited items/unauthorised people.

If these procedures are followed, then our clients are content.

### **Ensuring public safety**

Solar Collective state in their application that the site will be monitored by security/stewards and that they will follow health and safety protocols. Our client is content that Solar Collective will indeed hold a safe event within the confines of the site, but this ignores the impact on the surrounding countryside and neighbours.

The site is located in a very remote location with the nearest bus stop being 1.5 miles to the north in Boughton Monchelsea and the nearest train station being 4 miles to the south in Staplehurst. This means that any festivalgoer will need to travel to the event by car resulting in substantial vehicle movements along the narrow country lanes in this area. These lanes also do not benefit from street lighting.

With so many people expected to attend the event, the impact on the wider area will be significant and the number of vehicles will be a risk to public safety. This is compounded by the excess opening hours for the event.

Our clients have therefore suggested conditions which would mitigate these concerns. These are set out in the next section.

### Prevention of nuisance

Statutory nuisances are specific nuisances as defined by the Environmental Protection Act 1990. The Act gives councils the power to investigate complaints of nuisance and to take action if they are satisfied that the matter is a statutory nuisance.

Statutory nuisance is generally defined as:

- Unreasonable and significant,
- As having an unreasonable effect on a person's enjoyment of their property.

Solar Collective state in their application that traffic details will form part of the Event Management Plan and that sound levels will be monitored throughout the event. Lastly, the organisers will maintain contact with neighbours to seek to mitigate nuisance when it occurs.

Our clients are not content that this approach will be sufficient to outweigh the harm. The excess opening hours for the event will mean that music will be playing until the very early hours of the morning as well as the use of external lighting all of which will have substantial disruption to the tranquil countryside location in which the site is located.

Our clients have therefore suggested conditions which would mitigate these concerns. These are set out in the next section.

### Protection of children from harm

Solar Collective state in their application that Child Protection procedures will be followed.

If these procedures are followed, then our clients are content.

### **Suggested Conditions/Amendments**

Our clients recognise that events such as Glastonbury, Reading and Isle of Wight are becoming common in the UK, but that such events need to be carefully considered and managed to ensure that the rural communities are protected. The Licensing Act 2003 is the mechanism in which this protection can be maintained (unless planning permission is required) and therefore our clients are keen to play a part in the agreement of the associated conditions which may be attached to an approved Licence.

The two areas of greatest concern relate to public safety and nuisance, which have been documented above. In order to make the Licence acceptable, the following conditions are considered necessary:

- The site should not utilise generators but instead use solar panels.
- The submitted Event Management Plan should set out the procedures for car searches to be undertaken when entering the site. The searches should specifically look for unauthorised generators, sound systems, excess alcohol, prohibited items and unauthorised people.
- The Premises License Holder will inform local residents in writing prior to any event and will include a telephone number or numbers, staffed continually throughout the duration of events, for members

of the public to contact, in order for concerns relating directly to the event to be addressed immediately. This person will be located on site.

- Assessments of sound levels with details and proposals for monitoring and controlling noise will be agreed with Maidstone Borough Council. An additional location for monitoring should be East Hall Hill.
- The Music Noise Level (MNL), as described in section 3 of the Noise Council Code of Practice on Environmental Noise Control at Concerts, should not exceed 65dB(A)(Laeq 15min) at the façade of the nearest noise sensitive properties.
- A Noise Management Plan (incorporated within the Event Management Plan) will be drawn up for all events by the Premises License Holder and submitted to the Safety Advisory Group. If 500 + people then will be submitted at least 3 months prior to event and 1000 + people then will be submitted at least 6 months prior to event.
- Any lighting associated with this event should be installed and operated in such a manner so as not to cause a nuisance to residents.
- The camping area will be staffed when in use and all amplified music equipment will be banned within the camping area. The ban of amplified music equipment will be made clear in the T&C's literature when tickets are purchased.
- Events shall be split into;

Category A events: Category A events are those outdoor events in which any noise may be discernible beyond the boundaries of the estate.

Category A events shall be limited to a maximum of 5 in the period 1 June to 30 September and a maximum of 3 in the period 1 October to 31 May, but the total of such events shall not exceed more than 12 events in the period 1 January to 31 December in any calendar year.

Category B events: Outdoor events where noise will not be audible inside any noise sensitive dwellings shall be unlimited in number.

- Only one 3-day event (Friday to Sunday) in the period 1 January to 31 December in any calendar year.
- Any noise associated with the event will be inaudible at the façade of noise sensitive dwellings after 23:00 hours.

Our clients are also concerned by the excess opening/operation hours suggested by the applicant. Events such as Glastonbury, Reading and Isle of Wight occur only once a year. Whereas Solar Collective do not set out how often an event would take place on-site and it considered that the hours should be reduced to reflect that this is the first event on this site. If the applicant is able to identify that the site is viable and is safely run for a number of years, then they could apply to amend some of the hours accordingly. Our clients consider the following hours as more appropriate for the site:

Plays	Monday	Midday – 11pm
	Friday	Midday – 11pm
	Saturday	Midday – 11pm
	Sunday	Midday – 11pm

Films	Friday	Midday – 11pm
	Saturday	Midday – 11pm
	Sunday	Midday – 11pm

Live Music	Monday – Thursday, Sunday	Midday – 11pm
	Friday & Saturday	Midday – 11pm

Recorded Music	Monday – Thursday, Sunday	Midday – 11pm
	Friday & Saturday	Midday – 11pm

Performance of Dance	Monday – Thursday, Sunday	Midday – 11pm
	Friday & Saturday	Midday – 11pm

Street Performance	Monday – Thursday, Sunday	Midday – 11pm
	Friday & Saturday	Midday – 11pm

Late Night Refreshments	Monday – Thursday, Sunday	Midday – 11pm
	Friday & Saturday	Midday – 11pm

Supply of Alcohol	Monday	Midday – 11pm
	Tuesday	Midday – 11pm
	Wednesday	Midday – 11pm
	Thursday	Midday – 11pm
	Friday	Midday – 11pm
	Saturday	Midday – 11pm
	Sunday	Midday – 11pm

Hours open to the Public	All week	24 hours a day
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### Summary

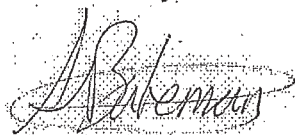
Our clients wish for the above conditions to be attached to any approved licence at Eel House Farms. This seeks to address concerns relating to public safety and nuisance. The applicant has set out operating hours which is in excess of what is required for their activities. Instead, the suggested reduced hours will allow the site to be used on a trial basis with the applicant able to vary these hours by way of a future application.

The Licensing Act 2003 is the mechanism in which this protection can be maintained (unless planning permission is required) and therefore our clients are keen to play a part in the agreement of the associated conditions which may be attached to an approved Licence. If the applicant is not willing to agree to such conditions, then this should be taken as a formal objection.

**STRUTT  
PARKER**

We look forward to receiving confirmation of a determination of this application in the future.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'A Bateman', is written over a faint, dotted rectangular background.

**Alex Bateman BA (Hons) MSc MRTPI  
Planner**



22.

**Lorraine Neale**

**From:** Stephen Noble  
**Sent:** 04 July 2013 12:35  
**To:** Lorraine Neale  
**Subject:** FW: Objection to Licencing Application 13/01724/LAPRE Eel House Farms ME17 4DD  
**Attachments:** Objection to LA1301724LAPRE.PDF

---

**From:** Licensing [mailto:licensing@sevenoaks.gov.uk]  
**Sent:** 04 July 2013 11:41  
**To:** Stephen Noble  
**Subject:** FW: Objection to Licencing Application 13/01724/LAPRE Eel House Farms ME17 4DD

Hi Steve

Can you confirm whether attached rep is valid.

Thanks ☺

Sue Lee  
Licensing Administration Officer  
Licensing Team  
Tel: 01732 227459  
Fax: 01732 742339  
Web: [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk)

**P** please don't print this e-mail unless you really need to

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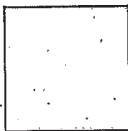
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Sevenoaks  
Kent TN13 1GP



email: [licensing@sevenoaks.gov.uk](mailto:licensing@sevenoaks.gov.uk)



tel: 01732 227004

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**From:** David Padden [mailto:[REDACTED]]  
**Sent:** 04 July 2013 11:26  
**To:** Licensing  
**Subject:** Objection to Licencing Application 13/01724/LAPRE Eel House Farms ME17 4DD

Dear Sirs,

Please find attached my OBJECTION to Licencing Application 13/01724/LAPRE, Eel House Farms ME17 4DD

Could you please send acknowledgement of receipt.

Regards  
David Padden

[REDACTED]  
 Staplehurst Road  
 Marden  
 Kent [REDACTED]



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[REDACTED]  
Staplehurst Road  
Marden  
Kent  
TN12 9BW

2nd July 2013

Licensing Partnership  
P.O. Box 182  
Sevenoaks  
Kent  
TN13 1GP

Dear Sirs

**Licensing Application: 13/01724/LAPRE**  
**Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton**  
**Monchelsea, Maidstone, Kent, ME17 4DD**

We are writing to **OBJECT** to the above licensing application. Our property is very near to the site which is the subject of the application although on the South side of the River Beult.

We feel this is totally unsuitable for the location, which is a quiet rural area, served from a single lane road, totally unsuited to the likely level of traffic both in terms of paying visitors, and the musicians/performers and their requisite equipment.

Light pollution would be clearly visible and noise from the site clearly audible to the detriment of our right to the peaceful enjoyment of our property and in contravention of Article 8 of the Human Rights Act 1998 and Article 1 of the First Protocol to that Act.

There are a number of reasons for Objecting to the application as listed below:

**1. There application does not begin to meet the 4 licensing objectives**

**1.1. The prevention of crime and disorder:**

The site is situated in peaceful rural countryside with no public transport and access via a very narrow country lane. The site will draw in many visitors who would not otherwise be there and who will create disorder through noise, disturbance and access difficulties for local residents. By definition, visitors



will arrive by car, to a site serving alcohol until very late, leading to a significantly increased risk of drink driving.

**1.2. Public Safety:**

The application does not provide details on how the access for large numbers of potentially inebriated visitors will be controlled nor how they will be contained on site. In the event of any emergency, access for emergency services is likely to be restricted. The site is also the subject of a simultaneous planning application for fishing lakes and is adjacent to the River Beult. Late night drinking on a site containing lakes and next to a river would constitute a serious risk to public safety.

**1.3. The Prevention of Public Nuisance:**

The site is situated in unshielded open countryside which is currently a very quiet and tranquil location. There are a number of rural properties from which the site is visible and many more from which any loud sound – such as amplified music – can be clearly heard. The proposals would create an entirely unacceptable disturbance and public nuisance for many homeowners. The proposal contains no measures to mitigate such adverse effects (for instance the construction of a soundproofed building) and thereby ignores the needs and rights of local residents.

**1.4. The Protection of Children from Harm:**

The proposals would significantly increase traffic on unsuitable quiet country roads which are used, because of their tranquillity, by cyclists and horse riders, a number of whom are children. The increase in motorised traffic in accessing the site and the serious risk of drink driving from events will increase the risk to children in the vicinity. In addition, the lateness of the proposed disturbances will adversely affect the ability of all residents, including children, to sleep properly at risk to health and wellbeing.

**2. The Relationship with Planning**

There is no planning application for any premises or works to make the site suitable for an entertainment venue as envisaged in the licensing application. Maidstone Borough Council's licensing policy states: "The Licensing Authority expects that any planning issues will generally be resolved before the licensing application is made" which is not the case in this instance.

There is however a simultaneous planning application by the same applicant for the same property in relation to a private fishing lake and "site maintenance building" (MA/13/0742). That application notes the peaceful nature of the intended use and envisages parking for up to 20 cars to accommodate the needs of a private fishing syndicate. It is important that officials are aware of the existence of these simultaneous applications as from the combination it will be clear that one or both applications are seriously misleading.

The planning application states that there will be no areas to store or collect waste; there are no arrangements for the separation and collection of recyclable waste; seeks

permission for parking spaces for up to 20 cars; and sewerage/foul water disposal methodology is stated as "unknown". The planning proposals are entirely unsuitable.

### **3. The Application is not Compliant with Maidstone's Published Statement of Licensing Policy**

Maidstone Borough Council in August 2010 published its Statement of Licensing Policy for the period to January 2014. In a number of significant areas, the application is in contravention of that statement, including:

3.1 The Statement says: "Applicants for new or variations to late night licences will need to consider the orderly safe and swift dispersal of customers and possible impact on crime and disorder issues. The Licensing Authority will seek to encourage the controlled dispersal of customers, plans for which the Licensing Authority will expect to be considered in the Operating Schedules for licences." No such consideration has been made.

3.2 The Statement says: "Licensees are key partners in working towards the promotion of the Licensing objectives. In completing their Operating Schedules applicants will be expected to consider whether to put suitable and sufficient measures in place to promote those objectives. Those measures would be relevant to the individual style and characteristics of their premises, activities and events. It is only when well founded relevant representations are received, that the Licensing Authority may consider an application for a Premises licence. It will pay particular attention at any hearing whether to impose extra conditions in addition to any which may already be included in the operating schedule, with a view to promoting the objectives." As stated earlier, no consideration has been made regarding the Licensing Objectives by the applicant.

3.3 The Statement says: "Licensed premises can cause adverse impacts on communities through public nuisance. The Licensing Authority wishes to maintain and protect the amenity of residents and other businesses from any nuisance caused by the operation of licensed premises whilst recognising the valuable cultural, social and business importance that such premises provide.

"The Licensing Authority will interpret 'public nuisance' in its widest sense, and takes it to include such issues as noise, light, odour, litter and anti-social behaviour, where these matters impact on those living, working or otherwise engaged in normal activity in an area."

Also: "When addressing the issue of prevention of public nuisance, the applicant should consider those factors arising from the premises or the activities of their customers within the vicinity of the premises that may impact on the likelihood of public nuisance."

The application would have seriously adverse impacts on local communities so as to change the whole character of the area with noise and light pollution, significantly increased traffic and increased risk of crime and public order disturbances.

3.4 The Policy Statement says that: "The aims of the policy are to pursue the four licensing objectives by:

"Helping to build and maintain a prosperous society that properly balances the rights of individuals with the needs of business."

And

"Working to:-

- protect the well being of local residents
- maintain a safe and family friendly environment in the Licensing Authority's administrative area
- reduce crime and disorder
- reduce alcohol misuse"


The application completely ignores the rights of local residents and would act as a catalyst for increased crime, disorder and alcohol misuse.

#### 4. Conclusion

An outside music event was held in 2012 which created an unacceptable disturbance and led to complaints to the Police. That was a single event – the current application envisages an entertainment licence to cover every day of the year until very late at night. It is totally unacceptable in a quiet rural location.

The application is wholly unsuitable in this location and must be rejected.

Yours faithfully,



David Padden

**Lorraine Neale**

**From:** Valérie Hitch [REDACTED]  
**Sent:** 04 July 2013 13:00  
**To:** Licensing (MBC)  
**Subject:** Ref: 13/01724/LAPRE

Dear Sirs,

[REDACTED] East Hall Hill, BOUGHTON MONCHELSEA Kent [REDACTED]

Dear Sirs,

**Ref: 13/01724/LAPRE** License to hold events on a field at Eels Farm, off Lower Road, Boughton Monchelsea, Kent

Have been unable to access the licensing administration site and have opted to contact you regarding the above application.

### 1/ NOISE POLLUTION

We live at the top of EAST HALL HILL and WIERTON HILL facing towards the WEALD and have done so for thirty seven years. The land between the two hills acts as an Amphitheatre and noise from down the hills and beyond reverberates and resonates within the "U" shaped lay of the land, and is funnelled upwards towards the properties in our area, particularly at this time of year with the warm still air. Past experiences have shown that noise from events, especially when fireworks are used, have been very disturbing and unbearable due to the reasons given above. It hits us full on with not only music but voices travelling for miles. We can sometimes hear the farmers cutting their crops way down by the river.

### 2/ PUBLIC NUISANCE AND SAFETY

The fact that we are in a very rural area the proposed activities would be regarded as alien to the environment and a very big PUBLIC NUISANCE. The traffic generated by such events as we have seen from places like the now defunct POLO CLUB on Wierton Road and the MULBERRY TREE (formerly the RED HOUSE) at the bottom of East Hall Hill is very worrying as people not local to the area, drive at fast speeds on the winding steep hills with no regard for those of us who walk the roads with children and dogs or ride horses. (The Greensand Way crosses the roads at two points)

There are many kept animals in the area with horses being ridden on a regular basis, the increased traffic volume could be a potential threat to these riders who already have to cope with the mad drivers who use our lanes as a short cut to Staplehurst.

### 3/ CRIME AND DISORDER

Given the remoteness of the proposed site it would be very difficult for a good police protection to be enforced - NOT because of the Police themselves but because their numbers would not allow them to deploy enough so far from Maidstone. This was very evident in the days of the POLO CLUB on Friday and Saturday evenings because the Police were tied up in the town with the night clubs and pubs.

One assumes that there would be a form of SIGNAGE which would be quite abhorrent to us; we already have far too much at the "T" junction of Heath Road and Wierton Road and on Heath Road generally; Mulberry Tree uses private property on Wierton Road.

The people who live in our area chose to live here for the quiet, the dark and the remoteness,



spending a great deal of money for those assets. To be able to sit outside for afternoon tea, a quiet read or a potter in the garden away from the noise of humanity is why we are here and the last thing we want is the sound of blasting music, increased traffic movement and being marked as a potential target area for crime. Events would have an unacceptable major impact on our lives.

The application is too open ended and does not commit the applicant to a regularised situation on which folk could act. We want to continue sleeping with our windows open; want to go to bed at 10pm every night and have unbroken sleep. Consideration must be given to those of us who sought a quiet life away from the "rat race". This application must not be granted.

Yours faithfully,

Robert and Valerie Hitch.

**Lorraine Neale**

---

**From:** Rowland Roome [REDACTED]  
**Sent:** 04 July 2013 14:26  
**To:** Licensing (MBC)  
**Cc:** licensing@sevenoaks.gov.uk  
**Subject:** Licensing application 13 / 01724 / LAPREFW

24

**Importance:** High

Dear Sir / Madam,

Licensing Application 13 / 01724 / LAPREFW: Eel House Farms, Boughton Bottom Farm, Lower Farm Road, Boughton Monchelsea, Maidstone Kent ME17 4DD

In reference to the above subject licensing application, your link: <http://pa.sevenoaks.gov.uk/online-licensing/search.do;jsessionid=A74CF15FE4A962615AEE63A8D83C97A8?action=simple&searchType=LicensingApplication>

is not working. It fails to save my comments and consistently crashes. Instead I communicate here my objections. I would be grateful that they are considered.

I live in the vicinity of this application site, at Spring Farm, East Hall Hill, Boughton Monchelsea, ME17 4JX. The one or two events that have been held in that field in previous summers are very clearly audible across East Hall Hill and at my mother's house, East Hall, East Hall Hill, ME17 4JX. As a one-off, that was acceptable. As an application for up to 12 such events per year, with 10 of those being concentrated during the summer weeks, that becomes a public nuisance in the open countryside. It is an area of very quiet rural beauty, where extraneous noise travels far. Previous events have been blaringly loud to anyone enjoying that part of the parish - walking, biking, riding, as many do along Lower Farm Road or on the local network of lanes and footpaths - or for those living in the area and enjoying being outside or having their windows open, as one does on summer afternoons and evenings. A license for 10-12 events is too many, for events that are too loud - and too late into the night, when many people in the area will be in bed with their windows open.

I also object on the grounds of danger to local children who frequently walk, ride and bike down there on what are narrow country lanes with blind stretches and corners, from drivers who are likely to have been consuming alcohol for hours, especially those who do not know the roads, as most won't. Take a look at the double right angle bends where the approach lane, Lower Farm Road, goes past Boughton Bottom Farm and picture that taken by numerous revellers as kids ride that way. In the other direction, and equally close, look at the crossroads where Church Hill meets Lower Farm Road: with cars, bikes, ponies etc coming down that hill through the shadowing woods as people drive from the event site to Linton Road. Those are accident spots in the making. Any car travelling fast on those lanes is dangerous. These events will generate hundreds of cars, with more than doubtful drivers.

This is not a socially responsible application for this site. I request it is refused on grounds of public nuisance, danger to children and road safety. Declaring - as the Applicant has publicly - that they will not avail the full 12 events is beside the point. The license will permit them to do so. This should not be approved.

Rowland Roome

[REDACTED], Boughton Monchelsea, Maidstone, Kent, [REDACTED]

## Lorraine Neale

---

**From:** Stephen Noble  
**Sent:** 05 July 2013 08:52  
**To:** Lorraine Neale  
**Subject:** FW: Objection to 13/01724/LAPRE  
**Attachments:** Eels Farm.pdf

25

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**From:** Licensing [mailto:licensing@sevenoaks.gov.uk]  
**Sent:** 04 July 2013 17:09  
**To:** Stephen Noble  
**Subject:** FW: Objection to 13/01724/LAPRE

Hi hun

Please can you let me know if this one is valid ☺

Sue Lee  
Licensing Administration Officer  
Licensing Team  
Tel: 01732 227459  
Fax: 01732 742339  
Web: [www.sevenoaks.gov.uk](http://www.sevenoaks.gov.uk)

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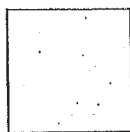
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tel: 01732 227004

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**From:** MORGAN JONES [mailto: [REDACTED]]  
**Sent:** 04 July 2013 17:05  
**To:** Licensing  
**Subject:** Objection to 13/01724/LAPRE

Dear Sir/Madam

Please find attached my objection to the above numbered license application.

I hope this has reached you in time to be validated because your website has been down as per your message.

Yours faithfully

William Kinsey-Jones



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# Licensing Partnership



## LICENSING ACT 2003 - GRANT / VARIATION / MINOR VARIATION / REVIEW, REPRESENTATION FORM

1 Any other person, body or business			
Name	WILLIAM KINSEY-JONES	Name and address of any representative acting for you	
Address	STAPLEHURST ROAD. MAKDEN KENT		
Phone			
Email			
Name and address of the premises you are making a representation about		EEL HOUSE FARMS BOUGHTON BOTTOM FARM LOWER FARM ROAD BOUGHTON MANCHELSEA MAIDSTONE KENT ME174DD.	
Your representation may be in opposition to, or in support of, the application. Your representation must be about the likely effect, if the application is granted (or subject to review), on the promotion of one or more of the four Licensing Objectives (see (A) – (D) below) with evidence if you have any available. Use separate sheets if necessary.			
(A) The prevention of crime and disorder			
(B) Public safety	SINGLE TRACK LANES GIVING POOR ACCESS FOR VOLUME OF TRAFFIC. PREVIOUS EVENTS ON THIS SITE HAVE BEEN VERY POORLY MANAGED.		
(C) The prevention of public nuisance	HIGH LEVEL OF NOISE POLLUTION AT INAPPROPRIATE HOURS. NUISANCE FROM RUBBISH AND LITTER NEXT TO ANSSBI		
(D) The protection of children from harm	CLOSE PROXIMITY OF UNFENCED RIVER		
Suggestions/conditions you would like the Licensing Authority or Licensing Sub-committee to consider adding to the licence if the application is granted.			
If your representation is on a grant, variation or review application and it is accepted, you will be invited to attend a Licensing Sub-committee hearing (and any subsequent appeal court hearing) in order to amplify your representation should you wish to do so.			

Signed: 

Dated: 4/7/13



**Lorraine Neale**

---

**From:** Lesley Windless  
**Sent:** 04 July 2013 17:58  
**To:** licensing@sevenoaks.gov.uk; Licensing (MBC)  
**Subject:** Lower Farm Road licensing application 13/01724/LAPRE

### Lower Farm Road licensing application 13/01724/LAPRE

Boughton Monchelsea Parish Council would like to comment on the above application which lies within the parish boundary.

#### General

The application site is situated within the Beult Valley close to the River Beult which is a SSSI site. The area that this application will affect has a number of small hamlets and isolated farms. This area is currently what most people would class as a classic example of "the peaceful British countryside". It has resisted damaging development with MBC's responsibility to preserve the open countryside through MBC policy ENV 28. We believe what is being proposed here is potentially just as damaging to the open countryside, with the amplifying of sound across the whole area. If unrestricted, this could occur most weekends during the summer months. We ask that due consideration of ENV 28 is taken into account when assessing this application. In particular we have grave concerns about the following :

1. The loss of amenity and quality of life to local residents and the many visitors to the area.
2. The loss of the tranquil setting and resultant damage to the open countryside.
3. The detrimental effect on the natural environment.
4. The significant impact to the single track roads that serve the area, caused by people travelling to the events by car.

If MBC were minded to grant this license then we would ask that you consider restricting the application through conditions as follows :

1. That the number of grade A events be reduced from the proposed 12 per year, especially during the summer months.
2. That only one 3 day event per year be allowed and the number of the remaining events to be restricted to 24 hour events and significantly reduced from what is being proposed, again especially during the summer months.
3. That affected residents be advised when events are to be held. This should be done immediately the management plans have been approved by MBC and should include :
  - Dates and times
  - Traffic arrangements
  - Security Arrangements
  - Contact telephone (manned) for the site and the environmental enforcement.
4. That the noise monitoring points include both valley locations and those on the hillside.
5. That there is a strict no noise condition at the perimeter of the site imposed at 2300 hours for all events
6. That provision is made within the management plan to clear any litter from both the site and the surrounding lanes within 24 hours of the event ending.
7. Controls are put in place to discourage visitors from straying away from the site and onto the surrounding areas, with special attention to the nearby SSSI.

Regards

Lesley Windless  
Clerk to Boughton Monchelsea Parish Council  
Tel. 01622 744969

**CONDITIONS REQUESTED BY OBJECTORS SHOULD A LICENCE BE GRANTED**

Name	No of events in a calendar year	Duration of event/s	Finish Time	Numbers Limit	Further Suggestions/ Conditions
C J & K J Turpin	1	One weekend	23.00 for sound and lighting		Sound level limited to under 80db. Lighting off by 23.00 Lighting angled down to minimise effect on surrounding properties
Mr & Mrs D E Collins	1-2		23.00 for amplified music		Events to be supervised and monitored
Emma walker	1 3	3 day event 1 day events	23.00 for all noise	500	Soundcheck point at Church Hill by the Church or on Wierton Hill at a similar height. Lighting angled down to minimise effect on surrounding properties. Open bonfires not allowed
Jonathan Gershon and Sue Batt	1  5	3 day event  1 day events	23.00	500  250	Events not to be on consecutive weekends/days  No noise before midday  Sound readings to be taken on the open ridge.  Adequate parking for all vehicles none to be parked on the road.
Sara Evans	1   3	That runs for more than day   1	23.00 all noise	500	Local residents to be given ample notice of all events and details of a telephone number (which will be manned) at which any concerns before and during the events can be raised.  A limit (assessed by an expert) to be placed on the level of noise which is audible from the site at the nearest property Lighting to be unobtrusive.  Noise to be monitored at various specified points in the neighbourhood and various specified times and noise monitoring details to be supplied to the parish council. Places of monitoring to include hill top and valley bottom locations. Monitoring to be independently verified.  Arrangements to be made for the



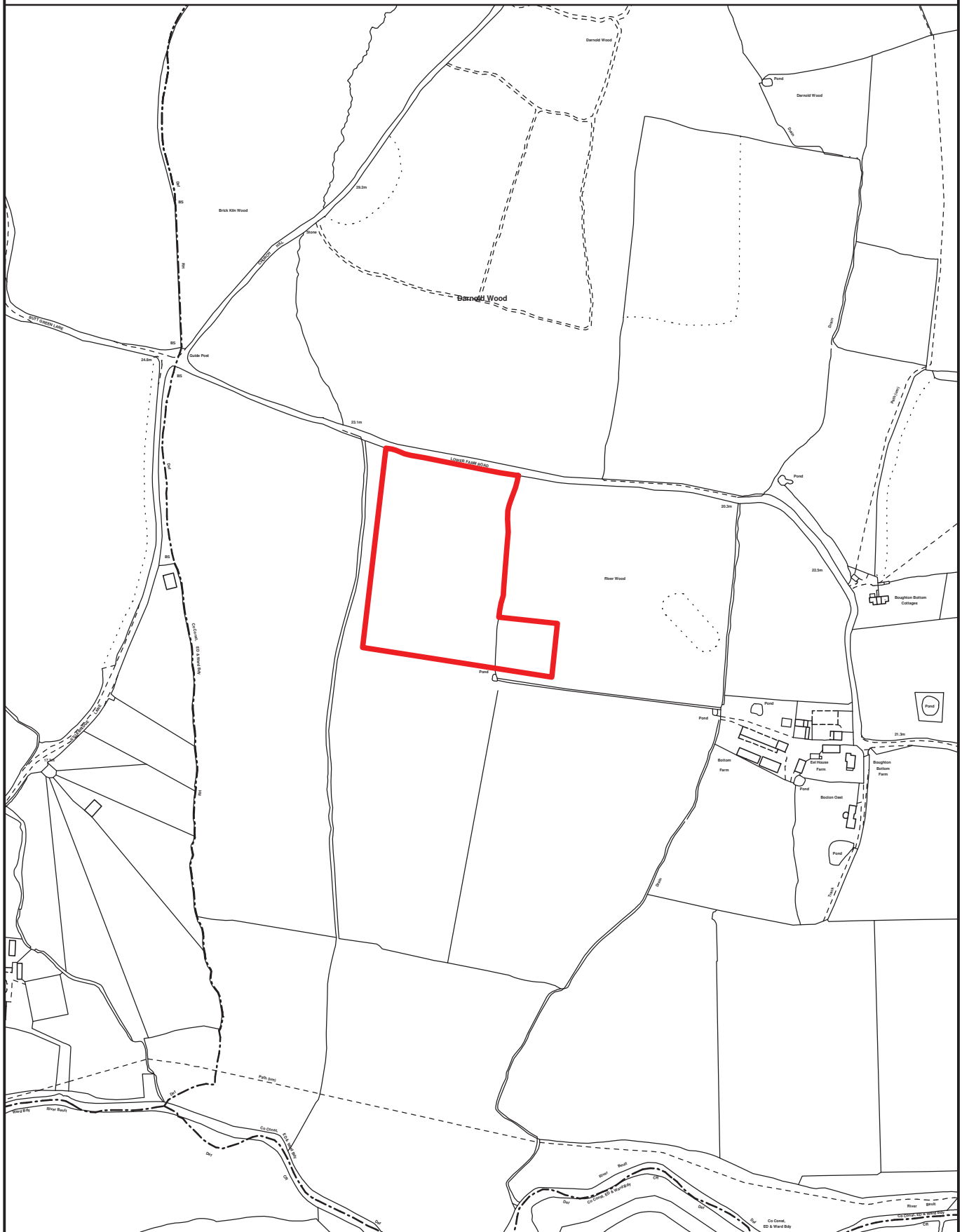
					<p>from the site after 11 pm</p> <p>Lighting to be unobtrusive.</p> <p>Noise to be monitored at various specified points in the neighbourhood and various specified times and noise monitoring details to be supplied to the parish council. Places of monitoring to include hill top and valley bottom locations. Monitoring to be independently verified.</p> <p>Arrangements to be made for the disposal of litter from the site and all litter to be picked from the adjacent lanes after each event.</p>
Marice and Dominic Kendrick	<p>1</p> <p>In any 12 month period</p> <p>4</p>	<p>3</p> <p>1</p>	23.00	<p>500</p> <p>200</p>	<p>1 day events to take place between June &amp; Sept (max 4)</p> <p>No alcohol sold before midday or after 23.00</p>
Andrew Walker	1	Weekend	23.00	300	Noise limited to a level below 65db
Mr & Mrs William Hays & Mr Daubeney (both represented by Strutt & Parker LLP)	<p>1</p> <p>12 (see details)</p>	<p>3</p> <p>1</p>	23.00		<p>The site should not utilise generators but instead use solar panels.</p> <p>The submitted Event Management Plan should set out the procedures for car searches to be undertaken when entering the site. The searches should specifically look for unauthorised generators, sound systems, excess alcohol, prohibited items and unauthorised people.</p> <p>The Premises License Holder will inform local residents in writing prior to any event and will include a telephone number or numbers, staffed continually throughout the duration of events, for members of the public to contact, in order for concerns relating directly to the event to be addressed immediately. This person will be located on site.</p> <p>Assessments of sound levels with details and proposals for monitoring and controlling noise will be agreed</p>

					<p>with Maidstone Borough Council. An additional location for monitoring should be East Hall Hill.</p> <p>The Music Noise Level (MNL), as described in section 3 of the Noise Council Code of Practice on Environmental Noise Control at Concerts, should not exceed 65dB(A)(Laeq 15min) at the façade of the nearest noise sensitive properties.</p> <p>A Noise Management Plan (incorporated within the Event Management Plan) will be drawn up for all events by the Premises License Holder and submitted to the Safety Advisory Group. If 500+ people then will be submitted at least 3 months prior to event and 1000 + people then will be submitted at least 6 months prior to event.</p> <p>Any lighting associated with this event should be installed and operated in such a manner so as not to cause a nuisance to residents.</p> <p>The camping area will be staffed when in use and all amplified music equipment will be banned within the camping area. The ban of amplified music equipment will be made clear in the T&amp;C's literature when tickets are purchased.</p> <p>Events shall be split into;</p> <p>Category A events: Category A events are those outdoor events in which any noise may be discernible beyond the boundaries of the estate.</p> <p>Category A events shall be limited to a maximum of 5 in the period 1 June to 30 September and a maximum of 3 in the period 1 October to 31 May, but the total of such events shall not exceed more than 12 events in the period 1 January to 31 December in any calendar year.</p> <p>Category B events: Outdoor events</p>
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					where noise will not be audible inside any noise sensitive dwellings shall be unlimited in number.
Lesley Windless Clerk to Boughton Monchelsea Parish Council	1  Significantly below 12	3  1	No noise beyond the site perimeter after 23:00		<p>That affected residents be advised when events are to be held. This should be done immediately the management plans have been approved by MBC and should include :</p> <p>Dates and times Traffic arrangements Security Arrangements</p> <p>Contact telephone (manned) for the site and the environmental enforcement.</p> <p>That the noise monitoring points include both valley locations and those on the hillside.</p> <p>That there is a strict no noise condition at the perimeter of the site imposed at 2300 hours for all events</p> <p>That provision is made within the management plan to clear any litter from both the site and the surrounding lanes within 24 hours of the event ending</p> <p>Controls are put in place to discourage visitors from straying away from the site and onto the surrounding areas, with special attention to the nearby SSSI.</p>



# SOLAR COLLECTIVE LTD. LOWER FARM ROAD, BOUGHTON MONCHELSEA.



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HUMAN RIGHTS

Article 8

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 1 of the First Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Article 6(1)

In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgement shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

Article 10

3. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
4. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.



## **LICENSING AUTHORITY: MAIDSTONE BOROUGH COUNCIL**

### **Licensing Act 2003 Sub-Committee Hearing Procedure of Applications for New Premises Licences/Club Premises Certificates and Variations to existing licences and certificates**

## **Introduction and Procedure**

### **i) Introductions**

The Chairman will request all those persons participating in the hearing to identify themselves, starting with the:

- ✕ Members of the sub-committee (who will, if applicable, declare any personal or prejudicial interests)
- ✕ Legal advisor
- ✕ Committee clerk
- ✕ Maidstone Borough Council licensing officers/managers
- ✕ Applicant (and any representative)
- ✕ Each responsible authority (and any representative)
- ✕ Each interested party (and any spokesperson or representative)

### **ii) Procedural Matters**

- **Procedure**

The Chairman will:

- ✕ Confirm that all parties are aware of the sub-committee hearing procedure and that each party has a copy of the hearing procedure document.

- **Submissions**

The Chairman will:

- ✕ Explain that the sub-committee will allow all parties to put their case fully and make full submissions, within a reasonable time frame.

- **Discussion and cross-examination**

The Chairman will:

- ⌘ Explain that the sub-committee procedure shall take the form of a discussion led by the sub-committee.
- ⌘ Explain that the sub-committee will usually permit cross examination (conducted within a reasonable time frame).

- **Disruptive Behaviour**

The Chairman will:

- ⌘ Explain that where any person attending the hearing behaves in a disruptive manner, the sub-committee may direct that person to leave the hearing (including temporarily) and thereafter the person may submit to the sub-committee in writing any information which the person would have been entitled to give orally had the person not been required to leave the hearing.

- **Reading of Papers**

The Chairman will:

- ⌘ Confirm that all sub-committee members have pre-read all the papers and any other documents contained in the report regarding the hearing.

- **Draft Conditions**

The Chairman will:

- ⌘ Enquire whether draft conditions have been agreed between the applicant and any of the other parties for the sub-committee to consider.

- **Witnesses**

The Chairman will:

- ⌘ Enquire whether any parties request to have any witnesses give evidence at the hearing; and if so grant the request unless the request is unreasonable.
- ⌘ Invite the parties, where appropriate, to appoint a spokesperson.

## The Hearing

### **Outline of the Application and Representations**

- ✘ The Chairman will ask the legal advisor or community services manager to briefly outline the application and all representations regarding the application.

### **i) The Applicant**

- ✘ Opening remarks by the applicant (or their representative).
- ✘ Evidence of the applicant and any witnesses.
- ✘ After each person has given evidence the person may be questioned by each responsible authority, interested party and sub-committee member.
- ✘ If necessary, the applicant (or their representative) may clarify any matter that arose during questioning.

### **ii) Responsible Authorities (where applicable)**

<b>RESPONSIBLE AUTHORITY</b>	<b>Tick if applicable</b>
Police	
Trading standards	
Environmental Health	
Child Protection (Social Services)	
Planning	
Fire and Rescue	

- ✘ Opening remarks by the officer representing the responsible authority (or their representative).
- ✘ Evidence of the responsible authority officer and any witnesses.
- ✘ After each person has given evidence the person may be questioned by the applicant, each other responsible authority, interested party and sub-committee member.
- ✘ If necessary, the officer (or representative) may clarify any matter that arose during questioning.

### **iii) Interested Parties**

- ✘ Opening remarks by the interested party (or spokesperson/representative).
- ✘ Evidence of the interested party and any witnesses.
- ✘ After each person has given evidence the person may be questioned by the applicant, responsible authorities, each other interested party and sub-committee member.
- ✘ If necessary, the interested party (or spokesperson/representative) may clarify any matter that arose during questioning.

## Closing Speeches

In the following order:

- ✕ **Each Responsible Authority**
- ✕ **Each Interested Party**
- ✕ **The Applicant**

## End of Hearing

- ✕ The Chairman will ask the members of the sub-committee if they have any final questions for any party to the hearing.
- ✕ The Chairman will ask the legal advisor whether there are any further matters to be raised or resolved before the hearing is closed.
- ✕ The Chairman will bring the hearing to a close and shall declare that the sub-committee will retire, to private session, to consider the application, all relevant representations, evidence, the relevant extracts of Licensing Authority's Statement of Licensing Policy, the relevant extracts of the National Guidance issued under section 182 of The Licensing Act 2003 and the licensing objectives under the Licensing Act 2003.
- ✕ The Chairman shall invite the legal advisor to remain with the sub-committee during its deliberations and ask all other persons to withdraw from the room.

## The Decision

The Chairman shall declare in public session:

- ✕ The sub-committee's determination.
- ✕ All parties to the hearing will receive a copy of the written Determination Notice regarding the sub-committee's determination.
- ✕ All parties may appeal against the sub-committee's decision within 21 days beginning with the day on which the appellant is notified of the Licensing Authority's written determination. Appeals must be lodged with the Magistrates' Court. Parties should be aware that the Magistrates Court may make an order with respect to costs on any appeal.
- ✕ The hearing is formally closed.