



# Winchester

City Council

## Premises Licence

Premises Licence Number

PREM709

16/00621/LAPRMN

### Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code

Boomtown  
Matterley Bowl  
Alresford Road  
Winchester  
Hampshire

Telephone number

Where the licence is time limited the dates

On one occasion per calendar year for five consecutive days

Times the licence authorises the carrying out of licensable activities

1. The hours the premises may be used for regulated entertainment shall be:

a) Films and Plays

- |                |                      |
|----------------|----------------------|
| (i) Thursday   | 1000 to 0000         |
| (ii) Friday    | 1000 to 0000         |
| (iii) Saturday | 0000 to 0000         |
| (iv) Sunday    | 0000 to 0400 Monday* |
- \* See Condition PN18 (b)

b) Live Music

- |                          |                           |
|--------------------------|---------------------------|
| (i) Thursday             | 1000 to 0000              |
| (ii) Friday and Saturday | 1000 to 0400 the next day |
| (iii) Sunday             | 1000 to 0000              |

c) Recorded Music and Performance of Dance

- (i) **Thursday** 1000 to 0000
- (ii) **Friday, Saturday, Sunday** 1000 to 0400 each day\*\*  
\*\* See Condition PN18 (a).

2. The hours the premises may be used the provision of late night refreshment shall be:

- (i) **Thursday to Sunday** 2300 to 0500 the next day

3. The hours the premises may be used for the sale of alcohol for consumption on the premises only shall be:

- (i) **Monday to Sunday** 0000 to 0000\*\*\*  
\*\*\* Sale of alcohol to public Thursday to Monday only. Crew bar only, for seven days before commencement and seven days after the end of the event. (See Condition A2 (b)).

**The opening hours of the premises**

The hours the premises may open for other than Licensable Activities shall be:

- (i) **Thursday 0000 to Monday 1700 inclusive**

**Where the licence authorises supplies of alcohol whether these are on and / or off supplies**

Alcohol is supplied for consumption on the Premises only

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence**

Boomtown Festival UK Limited  
9 Bank Road  
Kingswood  
Bristol  
BS15 8LS

**Registered number of holder, for example company number, charity number (where applicable)**

Registered Company Number 07871423

**Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol**

Christopher Rutherford

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol**

Personal Licence Number 06/07123/LAPER

Licensing Authority Bristol City Council



Head of Environmental Health & Licensing



Winchester  
City Council

## **Annex 1 – Mandatory conditions**

### **Supply of Alcohol:**

1. No supply of alcohol may be made under the premises licence:
  - (a) At a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

### **Door Supervision:**

Where individuals are required on premises to carry out security activities, they must be licensed by the Security Industry Authority.

### **Exhibition of Films:**

Admission of children to the exhibition of any film is restricted in accordance with:

- (1) Where the film classification body is specified in the licence, unless subsection (2)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (2) Where:
  - (a) the film classification body is not specified in the licence; or
  - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question;admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section: 'children' means persons aged under 18; and 'film classification body' means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 9(c 39) (authority to determine suitability of video works for classification).

### **The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 – effective from 1 October 2014**

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
  3. (1). The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
    - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
    - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
      - (a) a holographic mark, or
      - (b) an ultraviolet feature.
  4. The responsible person must ensure that—
    - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
      - (i) beer or cider: ½ pint;
      - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
      - (iii) still wine in a glass: 125 ml;
    - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
    - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014**  
**– effective from 28 May 2014**

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1-
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) “permitted price” is the price found by applying the formula-  $P = D + (D \times V)$  where-

- (i) **P** is the permitted price,
  - (ii) **D** is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) **V** is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence-
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph 2 applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## **Annex 2 – Conditions consistent with the Operating Schedule**

See attached

## **Annex 3 – Conditions attached after a hearing by the licensing authority**

See attached

## **Annex 4 – Plans**

See attached



**Winchester**  
City Council

## Conditions

Attached to Premises Licence  
PREM 709

Boomtown  
Matterley Bowl  
Alresford Road  
Winchester  
Hampshire

## **Annex 2 – Conditions consistent with the Operating Schedule**

n/a

## **Annex 3 – Conditions attached after a hearing by the licensing authority**

### **All Licensing Objectives**

- A1 This licence shall authorise the relevant licensable activities for a maximum of 59,999 persons. This includes all persons present at the premises in whatever capacity including ticket holders, performers, guests and staff.
- A2 The premises licence shall authorise the licensable activities:-
- a. for the public for a maximum period of five consecutive days from Thursday to Monday on one occasion in a calendar year.
  - b. the crew bar is authorised for the sale of alcohol only to crew members and their bona fide guests for 24 hours per day for the period commencing seven days before the start of the public event and ending seven days after the end of the public event.
- A3 The Premises Licence Holder shall give notice to the Licensing Authority and Hampshire Constabulary of the dates of the event no later than six months before the start of the event.
- A4 The Premises Licence Holder shall produce and submit to the Licensing Authority an initial event management plan (EMP) at least 120 days prior to the commencement of the event.
- A5 The final EMP shall be supplied to the Licensing Authority no later than 28 days prior to each event. No alteration to the EMP shall be made after this date by the Premises Licence Holder except with the written consent of the Licensing Authority.
- A6 A schedule of stewards and security personnel shall be included in the EMP. The final schedule shall be made available to the Licensing Authority and Hampshire Constabulary no later than 28 days before the start of licensable activities for the public. Such a schedule shall include name, date and place of birth and, if applicable, SIA number. No amendments to the schedule shall be made after this date except by agreement with the Hampshire Constabulary and with the written consent of the Licensing Authority.
- A7 The 'Event Director' or his nominated deputy shall be available on site at all times that the licensed site is open to ticket holders.



## **The Prevention of Crime and Disorder**

- CD1 The Premises Licence Holder shall agree with the Licensing Authority in consultation with Hampshire Constabulary the number of police officers required at each event, no later than 56 days prior to the start of the event. No licensable activities shall take place unless suitable arrangements are in place to secure the provision of such numbers of police officers.
- CD2 A secure perimeter fence shall be erected around the site of the event, prior to the start of the event, and patrolled by security. The type of fence shall be agreed with the Licensing Authority no later than 120 days before the event.
- CD3 The premises licence holder shall submit a written Crime Management Plan (CMP) that has been produced in conjunction with Hampshire Constabulary. The initial CMP shall be submitted to Hampshire Constabulary no later than 56 days prior to each event. The final written CMP shall be submitted to Hampshire Constabulary no later than 28 days prior to each event. The CMP shall detail, albeit not an exhaustive list: How the event will tackle: acquisitive crime (thefts), the use, consumption and supply of illegal drugs, violence against the person and protection of the vulnerable young people. It shall also detail the proactive crime prevention measures taken by the premises licence holder utilising advertising and social media. No alteration to the written CMP shall be made after this date by the premises licence holder except with the written consent of the Police Commander for the event and the Licensing Authority responsible for the event.
- CD4 The premises licence holder shall submit a written Security Management Plan (SMP) that has been produced in conjunction with Hampshire Constabulary. The initial SMP shall be submitted to Hampshire Constabulary no later than 56 days prior to each event. The final SMP shall be submitted to Hampshire Constabulary no later than 28 prior to each event. The SMP shall detail, albeit not an exhaustive list: How the event will manage the training and briefing of security personnel and how crowd management is implemented and managed.
- CD5 The premises licence holder shall appoint a competent crime prevention manager. Their role shall be to facilitate communication between the event organisers, the appointed security contractors and the police and to ensure compliance of CMP and SMP.
- CD6 The campsites, car park and event arena shall be patrolled by security and stewards.
- CD7 Security staff shall carry out random searching at all entrances to the event for drugs, offensive weapons and other prohibited items. Ticket conditions shall indicate that searching will be undertaken. Signage shall be displayed at all entrances indicating searches will take place.

- CD8 No glass containers or bottles shall be allowed inside the event site, with the exception of approved event traders or specific restaurant areas. Bottle banks shall be located at the event site entrances to facilitate disposal.
- CD9 Save for specific restaurant areas approved by the Police in writing, all sales of alcohol and other drinks shall be provided in polycarbonate or similar non glass drinking vessels. All glass bottled drinks shall be decanted at point of sale.
- CD10 A Personal Licence Holder shall be present at each bar throughout any event when alcohol is being supplied under the Premises Licence. The Premises Licence Holder shall produce details of the Personal Licence Holders to the Licensing Authority and Hampshire Constabulary no later than 28 days prior to the commencement of the event.

### **Public Safety**

- PS1 The Premises Licence Holder shall ensure that farm animals are removed from the arena and the campsite at least 21 days prior to the start of any event. This shall not extend to the area used for car parking.
- PS2 No animals, other than guide dogs, assistance dogs and dogs from enforcement agencies are to be allowed onto the site unless agreed in writing with the licensing authority at least 28 days before the commencement of the event.
- PS3 There shall not be any activity which involves body piercing or tattooing carried out on the site.
- PS4 There shall not be any activity which involves members of the public inhaling gases.
- PS5 No legal highs shall be allowed on site, these to include any gas canisters used for that purpose.

### **Public nuisance**

- PN1 A 2,000 capacity car park will be situated on the West side of the event site. Access to this car park will only be permitted with a relevant ticket. This car park will only exit onto the A272. From 12 noon on the Thursday preceding the event until 6pm on the Monday following the event a regular transfer bus will be available to transfer customers between Winchester Train Station and the event site. A transfer policy will be drawn up and circulated to officers no less than 28 days before the event. This policy will articulate the volume and frequency of transfers.

- PN2 No less than 40% of total tickets sold after the first 40,000 tickets, will be permitted to access the site by coach (whether public transport or coach transfer from local train stations).
- PN3 The premises licence holder will promote public transportation as the preferred access and egress from the event site. A policy to articulate this activity will be drawn up and circulated to officers no less than 56 days before the event but both the website, the tickets and all significant promotional activity will promote public transportation.
- PN4 During the 2016 event, the premises licence holder will undertake a comprehensive traffic management survey and assessment with reports and data being made available to officers.
- PN5 The Premises Licence Holder shall produce a Traffic Management Plan (TMP). The final TMP shall be submitted to the Licensing Authority no later than 28 days before the start of the event. No alteration to the TMP shall be made after this date by the Premises Licence Holder except with the written consent of the Licensing Authority.
- PN6 The Premises Licence Holder shall produce an initial Noise Management and Community Liaison Plan (NMP) at least 56 days prior to the commencement of the event. The final NMP shall be submitted to the Licensing Authority for agreement no later than 28 days prior to the commencement of the event. No alteration to the NMP after this date shall be made by the Premises Licence Holder except with the written consent of the Licensing Authority.
- PN7 The final NMP shall contain the methodology which shall be employed to control sound produced on the premises, in order to comply with the premises licence. The NMP must include all of the arrangements for preventing public nuisance and consultation with the local community and shall include:
- a) An inventory of all sound systems to be used on the site.
  - b) A schedule of contact details for those who are responsible for the sound systems.
  - c) A list of stages and cinemas together with sound power output details, a schedule of their location, orientation, and shut down times and their maximum audience capacity.
  - d) Maximum permitted sound power output details for traders.
  - e) Management command and communication structure /methods for ensuring that permitted sound system output and finish times are not exceeded.

- f) Publication and dissemination of information to the public and arrangements for provision and staffing of a hotline number for dealing with complaints.
  - g) Action to be taken by the Event Organiser following complaints.
- PN8 The Premises Licence Holder shall ensure compliance with all aspects of the Noise Management and Community Liaison Plan.
- PN9 At least 7 days prior to an event the Premises Licence Holder shall provide to the licensing authority a telephone number for contacting the licence holder or a nominated representative during the course of an event.
- PN10 The Premises Licence Holder shall produce and make available a Public Information Document with details of arrangements for the event based on the EMP and NMP that might affect the local community. This shall be made available at least 7 days prior to the event and published through a method agreed with the Licensing Authority.
- PN11 Between the hours of 1100 and 2300 noise levels from the event shall not exceed 55dB  $L_{Aeq, (15 mins)}$  and between the hours of 2300 and 0400 noise levels shall not exceed 45dB  $L_{Aeq, (15 mins)}$ .
- PN12 Between the hours of 1100 and 0400 noise levels from music in the octave band frequency range with a centre frequency of 63 Hz and levels from music in the octave band frequency range with a centre frequency of 125Hz shall not exceed 65dB( $L_{eq, 15 mins}$ ).
- PN13 All noise levels from music shall be measured as above in free field conditions and in the absence of significant local noise sources at locations to be agreed in writing with the Licensing Authority no later than 28 days in advance of the event.
- PN14 The sound systems of the principal stages shall be tested to ensure compliance with above levels prior to the commencement of the event. The Licensing Authority shall be notified no less than 24 hours in advance of such testing being undertaken.
- PN15 The Premises Licence Holder shall appoint a competent noise consultant to monitor and record on site and off site noise, to ensure compliance with noise levels.
- PN16 The Premises Licence Holder shall not permit amplification equipment to be brought onto the site unless:-
- a) it is for use as part of regulated entertainment.
  - b) it is for the use of authorised traders for the sole purpose of providing 'incidental' or background music to their stall or fairground attraction.

PN17 The Premises Licence Holder shall ensure that a deployment of security personnel shall patrol the site for the duration of the event to monitor for unlicensed events taking place or about to take place, and:

- a) Upon discovery of such activities or equipment not as described in Condition PN16, arrangements shall be made for the amplification equipment to be confiscated immediately or, if not possible, at the earliest reasonable opportunity.
- b) Arrangements shall be made for confiscation of equipment in the case of traders where, in the opinion of the Licensing Authority, a noise nuisance is being or likely to be caused.

PN18 Between the hours of 00:00 and 04:00 on a Monday morning, regulated entertainment shall be limited to the following:

- a) The playing of recorded music only in the format of a 'silent disco', defined as being 'the playing of recorded music with or without a DJ, in such a way that it shall only be heard through headsets worn by persons present'.
- b) The playing of a film provided that no noise shall be heard at the boundary of the licensed area.
- c) No other form of regulated entertainment shall be permitted.

PN19 No regulated entertainment shall be provided in areas B and C as marked on the licence plan attached to the premises licence.

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

CH1 The Premises Licence Holder shall prominently display notices at the point of sale that state 'It is an offence to purchase or attempt to purchase alcohol if you are under the age of 18 – Section 149 Licensing Act 2003'.

CH2 The Premises Licence Holder shall operate a 'Challenge 25' scheme with signage being displayed in all locations relevant to the sale of alcohol.

CH3 The Premises Licence Holder shall provide suitable training or instruction to all staff engaged in the sale of alcohol in relation to the prevention of sales to persons under the age of 18 years and to persons who are drunk. A written record shall be made of such training and be made available to the Licensing Authority or Hampshire Constabulary upon request.

CH4 No person under the age of 18 may serve alcohol.

CH5 Soft drinks and free drinking water shall be available on site as an alternative to alcohol.

- CH6 No person under the age of 18 shall be permitted on the premises unless accompanied by an adult.
- CH7 Any site / event staff having responsibility for the welfare of children on site shall be DBS checked (Disclosure and Barring Service) and their name date and place of birth made available to Hampshire Constabulary 28 days prior to the event taking place. The EMP shall include a plan to deal with all such lost / found children.



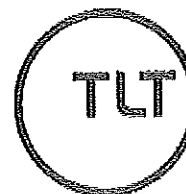
TLT LLP

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Bristol BS1 6TP

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Our ref 303L/MP01/PU01/98538/15  
Your ref



Winchester City Council  
Licensing Section  
City Offices  
Colebrook Street  
WINCHESTER  
SO23 9LJ

Online Application

[Redacted]

Date 4 December 2017

[Redacted]

Dear Sirs

**Licensing Act 2003: Online new premises licence application**  
**Our client - Boomtown Festival UK Ltd**  
**Boomtown Matterley Bowl Alresford Road Winchester SO21 1HW**

We enclose the above application, together with related documentation, that has been submitted through the Gov.uk website.

The appropriate application fee has been paid online and the additional fee of £48,000 related to the capacity has been sent to the Council via a bank transfer.

Kindly acknowledge receipt confirming the date of receipt.

Should you need us to discuss the enclosed then please contact the writer.

Yours faithfully

[Redacted signature]

TLT LLP

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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We Boomtown Festival UK Limited  
*(insert name(s) of applicant)*

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises details**

Postal address of premises or, if none, Ordnance Survey map reference or description Boomtown Festival Matterley Bowl Alresford Road			
Post town	Winchester	Postcode	SO21 1HW

Telephone number at premises (if any)	n/a
Non-domestic rateable value of premises	£62,600

**Part 2 - Applicant details**

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

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



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

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

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

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

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
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Surname		First names	
Date of birth over		I am 18 years old or	<input type="checkbox"/> Please tick yes
Nationality			
Current 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 Boomtown Festival UK Limited
Address 9 Bank Road Kingswood Bristol BS15 8LS
Registered number (where applicable) 07871423
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) n/a
E-mail address (optional) n/a

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P

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

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)  
 Matterley Bowl is a long established site that has been used for different events since 1998. It consists of a natural amphitheatre, woodland and farming areas. Located just outside Winchester in an Area of Outstanding Natural Beauty, it provides a beautiful location for an outdoor festival/event.

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

n/a
-----

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

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

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

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

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	00:00	04:00	Please give further details here (please read guidance note 4) in relation to Sunday into Monday, please see condition PN17 on the enclosed schedule of proposed conditions.	Both	<input checked="" type="checkbox"/>
Tue					
Wed	10:00	00:00	State any seasonal variations for performing plays (please read guidance note 5)		
Thur	10:00	00:00			
Fri	10:00	00:00	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 (please read guidance note 6)		
Sat	00:00	00:00			
Sun	00:00	00:00			

B

Films Standard days and timings (please read guidance note 7)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 3)		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 4) In relation to Sunday into Monday, please see condition PN17 on the enclosed schedule of proposed conditions.			
Mon	00:00	04:00				
Tue			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 5)			
Wed	10:00	00:00				
Thur	10:00	00:00	<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 6)			
Fri	10:00	00:00				
Sat	00:00	00:00				
Sun	00:00	00:00				

C – INTENTIONALLY BLANK

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

**D- INTENTIONALLY BLANK**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</u></b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
		Both		<input type="checkbox"/>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here (please read guidance note 4)</u></b>		
Mon					
Tue			<b><u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)</u></b>		
Wed					
Thur			<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 (please read guidance note 6)</u></b>		
Fri					
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Wed	10:00	00:00			
Thur	10:00	00:00	<b>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</b> (please read guidance note 6)		
Fri	10:00	00:00			
Sat	00:00	04:00			
	10:00	00:00			
Sun	00:00	04:00			
	10:00	00:00			



F

<b>Recorded music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)</u></b>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4) In relation to Sunday into Monday, please see condition PN17 on the enclosed schedule of proposed conditions.		
Mon	00:00	04:00			
Tue			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5)		
Wed	10:00	00:00			
Thur	10:00	00:00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri	10:00	00:00			
Sat	00:00	04:00			
	10:00	00:00			
Sun	00:00	04:00			
	10:00	00:00			

6

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	00:00	04:00	<b>Please give further details here</b> (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue					
Wed	10:00	00:00	<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Thur	10:00	00:00			
Fri	10:00	00:00	<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 6)		
Sat	00:00	04:00			
	10:00	00:00			
Sun	00:00	04:00			
	10:00	00:00			

**H- INTENTIONALLY BLANK**

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

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5) The sale of alcohol to the public is from Wednesday to Monday only.  For crew bar only, for 21 days before commencement of the event and 14 days after the event (see condition A2 on enclosed operating schedule of conditions).  <b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Mon	00:00	00:00			
Tue	00:00	00:00			
Wed	00:00	00:00			
Thur	00:00	00:00			
Fri	00:00	00:00			
Sat	00:00	00:00			
Sun	00:00	00:00			

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

Name Christopher Rutherford	
Date of birth	14.11.1979
Address c/o TLT LLP One Redcliff Street Bristol	
Postcode	BS1 6TP
Personal licence number (if known) 06/07123/LAPER	
Issuing licensing authority (if known) Bristol City Council	

□□□□

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Hot food and refreshment after 23:00h.		
Mon	00:00	05:00			
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Wed	23:00	00:00			
Thur	00:00 23:00	05:00 00:00			
Fri	00:00 23:00	05:00 00:00	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 (please read guidance note 6)		
Sat	00:00 23:00	05:00 00:00			
Sun	00:00	05:00			
	23:00	00:00			

K

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

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5) Opening hours for the store will be as follows:-
Day	Start	Finish	
Mon	00:00	17:00	<u>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</u> (please read guidance note 6)
Tue			
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	00:00	

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

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

Please see attached schedule of conditions to be proposed as part of this application.

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time.

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

Please see attached schedule of conditions to be proposed as part of this application.

**c) Public safety**

Please see attached schedule of conditions to be proposed as part of this application.

**d) The prevention of public nuisance**

Please see attached schedule of conditions to be proposed as part of this application.

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

Please see attached schedule of conditions to be proposed as part of this application.

**Checklist:**

Please tick to indicate agreement

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

IT IS AN OFFENCE, UNDER SECTION 168 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

**Part 4 – Signatures** (please read guidance note 11)

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

Declaration	<ul style="list-style-type: none"> <li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li> </ul>
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Signature	[Redacted]
Date	1.12.17
Capacity	Solicitor

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 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Matthew Phipps TLT LLP One Redcliff Street			
Post town	Bristol	Postcode	BS1 6TP
Telephone number (if any)	[Redacted]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) [Redacted]			

#### Notes for Guidance

- Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
- In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or

display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.

**15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.

- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

## **BOOMTOWN FESTIVAL – PROPOSED SCHEDULE OF PREMISES LICENCE CONDITIONS**

### **All Licensing Objectives**

- A1 This licence shall authorise the relevant licensable activities for a maximum of 75,000 persons, plus an additional 1,000 Sunday tickets for local residents for the 2018 event.
- To increase to a maximum of 79,999 persons from 2019. This includes all persons present at the premises in whatever capacity including ticket holders, performers, guests and staff.
- A2 The premises licence shall authorise the licensable activities:-
- a. for the public for a maximum period of six consecutive days from Wednesday to Monday on one occasion in a calendar year. Public access on Wednesday to be limited to 16,000 persons in 2018 and 20,000 persons in 2019.
  - b. the crew bar is authorised for the sale of alcohol only to crew members and their bona fide guests for 24 hours per day for the period commencing twenty one days before the start of the public event and ending fourteen days after the end of the public event.
- A3 The Premises Licence Holder shall give notice to the Licensing Authority and Hampshire Constabulary of the dates of the event no later than six months before the start of the event.
- A4 The Premises Licence Holder shall produce and submit to the Licensing Authority an initial event management plan (EMP) at least 120 days prior to the commencement of the event.
- A5 The final EMP shall be supplied to the Licensing Authority no later than 28 days prior to each event. No alteration to the EMP shall be made after this date by the Premises Licence Holder except with the written consent of the Licensing Authority.
- A6 A schedule of stewards and security personnel shall be made available to the Licensing Authority and Hampshire Constabulary no later than 28 days before the start of licensable activities for the public. Such a schedule shall include name, date and place of birth and, if applicable, SIA number. No amendments to the schedule shall be made after this date except by agreement with the Hampshire Constabulary and with the written consent of the Licensing Authority.
- A7 The 'Event Director' or his nominated deputy shall be available on site at all times that the licensed site is open to ticket holders.

### **The Prevention of Crime and Disorder**

- CD1 The Premises Licence Holder shall agree with the Licensing Authority in consultation with Hampshire Constabulary the number of police officers

required at each event, no later than 56 days prior to the start of the event. No licensable activities shall take place unless suitable arrangements are in place to secure the provision of such numbers of police officers.

- CD2 A secure perimeter fence shall be erected around the site of the event, prior to the start of the event, and patrolled by security. The type of fence shall be agreed with the Licensing Authority no later than 120 days before the event.
- CD3 The premises licence holder shall submit a written Crime Management Plan (CMP) that has been produced in conjunction with Hampshire Constabulary. The initial CMP shall be submitted to Hampshire Constabulary no later than 56 days prior to each event. The final written CMP shall be submitted to Hampshire Constabulary no later than 28 days prior to each event. The CMP shall detail, albeit not an exhaustive list: How the event will tackle: acquisitive crime (thefts), the use, consumption and supply of illegal drugs, violence against the person and protection of the vulnerable young people. It shall also detail the proactive crime prevention measures taken by the premises licence holder utilising advertising and social media. No alteration to the written CMP shall be made after this date by the premises licence holder except with the written consent of the Police Commander for the event and the Licensing Authority responsible for the event.
- CD4 The premises licence holder shall submit a written Security Management Plan (SMP) that has been produced in conjunction with Hampshire Constabulary. The initial SMP shall be submitted to Hampshire Constabulary no later than 56 days prior to each event. The final SMP shall be submitted to Hampshire Constabulary no later than 28 prior to each event. The SMP shall detail, albeit not an exhaustive list: How the event will manage the training and briefing of security personnel and how crowd management is implemented and managed.
- CD5 The premises licence holder shall appoint a competent crime prevention manager. Their role shall be to facilitate communication between the event organisers, the appointed security contractors and the police and to ensure compliance of CMP and SMP.
- CD6 The campsites, car park and event arena shall be patrolled by security and stewards.
- CD7 Security staff shall carry out random searching at all entrances to the event for drugs, offensive weapons and other prohibited items. Ticket conditions shall indicate that searching will be undertaken. Signage shall be displayed at all entrances indicating searches will take place.
- CD8 No glass containers or bottles shall be allowed inside the event site, with the exception of approved event traders or specific restaurant areas. Bottle banks shall be located at the event site entrances to facilitate disposal.

- CD9 Save for specific restaurant areas approved by the Police in writing, all sales of alcohol and other drinks shall be provided in polycarbonate or similar non glass drinking vessels. All glass bottled drinks shall be decanted at point of sale.
- CD10 A Personal Licence Holder shall be present at each bar throughout any event when alcohol is being supplied under the Premises Licence. The Premises Licence Holder shall produce details of the Personal Licence Holders to the Licensing Authority and Hampshire Constabulary no later than 28 days prior to the commencement of the event.

### **Public Safety**

- PS1 The Premises Licence Holder shall ensure that farm animals are removed from the arena and the campsite at least 21 days prior to the start of any event. This shall not extend to the area used for car parking.
- PS2 No animals, other than guide dogs, assistance dogs and dogs from enforcement agencies are to be allowed onto the site unless agreed in writing with the licensing authority at least 28 days before the commencement of the event.
- PS3 There shall not be any activity which involves body piercing or tattooing carried out on the site.
- PS4 No legal highs shall be allowed on site, these to include any gas canisters used for that purpose.

### **Public nuisance**

- PN1 From 12 noon on the Thursday preceding the event until 6pm on the Monday following the event a regular transfer bus will be available to transfer customers between Winchester Train Station and the event site. A transfer policy will be drawn up and circulated to officers no less than 28 days before the event. This policy will articulate the volume and frequency of transfers.
- PN2 No less than 25% of all public tickets, will be permitted to access the site by coach (whether public transport or coach transfer from local train stations).
- PN3 The premises licence holder will promote public transportation as the preferred access and egress from the event site. A policy to articulate this activity will be drawn up and circulated to officers no less than 56 days before the event but both the website, the tickets and all significant promotional activity will promote public transportation.
- PN4 The Premises Licence Holder shall produce a Traffic Management Plan (TMP). The final TMP shall be submitted to the Licensing Authority no later than 28 days before the start of the event. No alteration to the TMP



shall be made after this date by the Premises Licence Holder except with the written consent of the Licensing Authority.

PN5 The Premises Licence Holder shall produce an initial Noise Management and Community Liaison Plan (NMP) at least 56 days prior to the commencement of the event. The final NMP shall be submitted to the Licensing Authority for agreement no later than 28 days prior to the commencement of the event. No alteration to the NMP after this date shall be made by the Premises Licence Holder except with the written consent of the Licensing Authority.

PN6 The final NMP shall contain the methodology which shall be employed to control sound produced on the premises, in order to comply with the premises licence. The NMP must include all of the arrangements for preventing public nuisance and consultation with the local community and shall include:

- a) An inventory of all sound systems to be used on the site.
- b) A schedule of contact details for those who are responsible for the sound systems.
- c) A list of stages and cinemas together with sound power output details, a schedule of their location, orientation, and shut down times and their maximum audience capacity.
- d) Maximum permitted sound power output details for traders.
- e) Management command and communication structure /methods for ensuring that permitted sound system output and finish times are not exceeded.
- f) Publication and dissemination of information to the public and arrangements for provision and staffing of a hotline number for dealing with complaints.
- g) Action to be taken by the Event Organiser following complaints.

PN7 The Premises Licence Holder shall ensure compliance with all aspects of the Noise Management and Community Liaison Plan.

PN8 At least 7 days prior to an event the Premises Licence Holder shall provide to the licensing authority a telephone number for contacting the licence holder or a nominated representative during the course of an event.

PN9 The Premises Licence Holder shall produce and make available a Public Information Document with details of arrangements for the event based on the EMP and NMP that might affect the local community. This shall be made available at least 7 days prior to the event and published through a method agreed with the Licensing Authority.

PN10 Between the hours of 1100 and 2300 noise levels from the event shall not exceed 55dB  $L_{Aeq, 15 mins}$  and between the hours of 2300 and 0400 noise levels shall not exceed 45dB  $L_{Aeq, 15 mins}$ .

PN11 Noise levels from music in the octave band frequency range with a centre frequency of 63 Hz and levels from music in the octave band frequency range with a centre frequency of 125Hz shall not exceed 68dB( $L_{eq, 15 mins}$ ) between 1100 and 2100; 70dB( $L_{eq, 15 mins}$ ) between 2100 and 2300; and 68dB( $L_{eq, 15 mins}$ ) between 2300 and 0400.

PN12 All noise levels from music shall be measured as above in free field conditions and in the absence of significant local noise sources at locations to be agreed in writing with the Licensing Authority no later than 28 days in advance of the event.

PN13 The sound systems of the principal stages shall be tested to ensure compliance with above levels prior to the commencement of the event. The Licensing Authority shall be notified no less than 24 hours in advance of such testing being undertaken.

PN14 The Premises Licence Holder shall appoint a competent noise consultant to monitor and record on site and off site noise, to ensure compliance with noise levels.

PN15 The Premises Licence Holder shall not permit amplification equipment to be brought onto the site unless:-

- a) it is for use as part of regulated entertainment.
- b) it is for the use of authorised traders for the sole purpose of providing 'incidental' or background music to their stall or fairground attraction.

PN16 The Premises Licence Holder shall ensure that a deployment of security personnel shall patrol the site for the duration of the event to monitor for unlicensed events taking place or about to take place, and:

- a) Upon discovery of such activities or equipment not as described in Condition PN15, arrangements shall be made for the amplification equipment to be confiscated immediately or, if not possible, at the earliest reasonable opportunity.
- b) Arrangements shall be made for confiscation of equipment in the case of traders where, in the opinion of the Licensing Authority, a noise nuisance is being or likely to be caused.

PN17 Between the hours of 00:00 and 04:00 on a Monday morning, regulated entertainment shall be limited to the following:

- a) The playing of recorded music only in the format of a 'silent disco', defined as being 'the playing of recorded music with or without a DJ, in such a way that it shall only be heard through headsets worn by persons present'.
- b) The playing of a film provided that no noise shall be heard at the boundary of the licensed area.
- c) No other form of regulated entertainment shall be permitted.

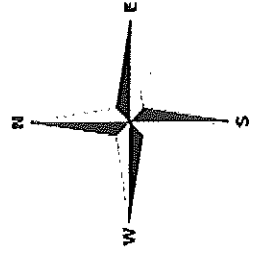
### **The Protection of Children from Harm**

- CH1 The Premises Licence Holder shall prominently display notices at the point of sale that state 'It is an offence to purchase or attempt to purchase alcohol if you are under the age of 18 – Section 149 Licensing Act 2003'.
- CH2 The Premises Licence Holder shall operate a 'Challenge 25' scheme with signage being displayed in all locations relevant to the sale of alcohol.
- CH3 The Premises Licence Holder shall provide suitable training or instruction to all staff engaged in the sale of alcohol in relation to the prevention of sales to persons under the age of 18 years and to persons who are drunk. A written record shall be made of such training and be made available to the Licensing Authority or Hampshire Constabulary upon request.
- CH4 No person under the age of 18 may serve alcohol.
- CH5 Soft drinks and free drinking water shall be available on site as an alternative to alcohol.
- CH6 No person under the age of 18 shall be permitted on the premises unless accompanied by an adult.
- CH7 Any site / event staff having responsibility for the welfare of children on site shall be DBS checked (Disclosure and Barring Service) and their name date and place of birth made available to Hampshire Constabulary 28 days prior to the event taking place. The EMP shall include a plan to deal with all such lost / found children.

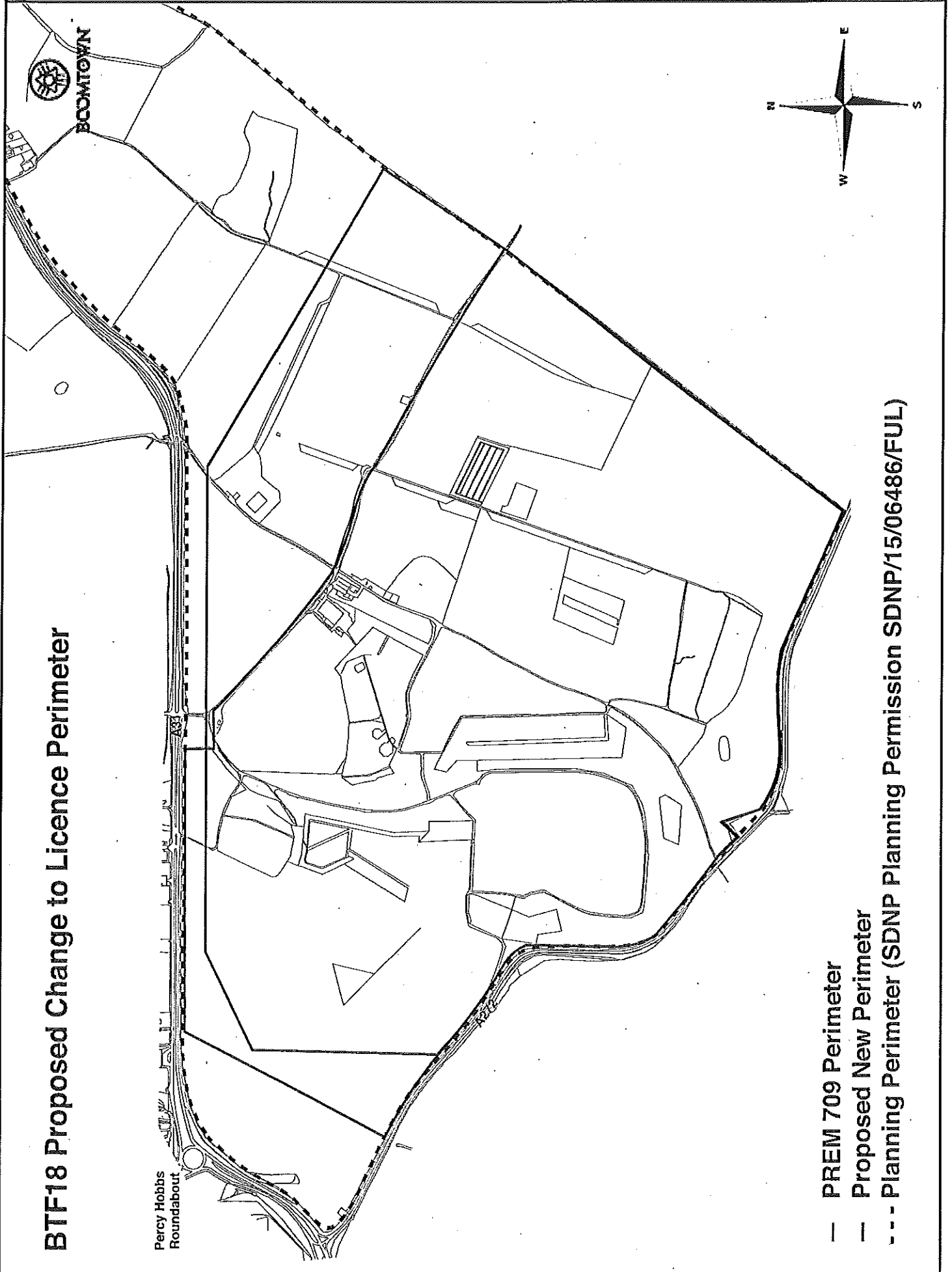
# BTF18 Proposed Change to Licence Perimeter

Percy Hobbs Roundabout

BOOMTOWN



- PREM 709 Perimeter
- - - Proposed New Perimeter
- · · · Planning Perimeter (SDNP Planning Permission SDNP/15/06486/FUL)



**DPS CONSENT FORM**

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

I **Christopher Rutherford**  
(full name of prospective premises supervisor)

of  
[REDACTED]  
(home address of prospective premises supervisor)

[REDACTED]

**Mexico City**  
(place of birth)

**British**  
(nationality)

Hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for  
**New Premises Licence Application**  
(type of application)

By

**Boomtown Festival UK Limited**  
(name of applicant)

Relating to premises licence **N/A**  
(number of existing licence, if any)

For  
**Boomtown Festival**  
**Matterley Bowl**  
**Alresford Road**  
**Winchester**  
**Hampshire**  
**SO21 1HW**

(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  
Boomtown Festival UK Limited

(name of applicant)

Concerning the supply of alcohol at

Boomtown Festival  
Matterley Bowl  
Aldersford Road  
Winchester  
Hampshire  
SO21 1HW

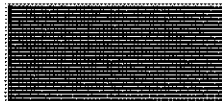
(name and address of premises to which application relates)

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



(Insert name and address and telephone number of personal licence issuing authority, if any)

Signed



Name (please print) Christopher Rutherford

Date 29.11.17

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Please forward all correspondence associated with this application to:

Licensing  
TLT Solicitors  
One Redcliff Street  
Bristol  
BS1 6TP



# Winchester

City Council

## Environmental Health Representation

### Application Details

Temporary Event Notice	
Premises Licence	X
Variation to Premises Licence	

Applicant	Boomtown Festival UK Limited
Address of Premises	Boomtown Festival Matterley Estate Alresford Road Winchester SO21 1HW

### Responsible Authority applicant details

Name of person making representation	Mrs Abigail Toms
Position	Environmental Health Manager
Address	Winchester City Council Colebrook Street Winchester Hampshire SO23 9LJ

### Grounds for Representation

This representation is made in respect of the following Licensing Objective(s):

1)	The prevention of crime and disorder	
2)	Public Safety	X
3)	The prevention of Public Nuisance	X
4)	The protection of Children from harm	

### Grounds for representation

This application seeks to make a number of changes to the existing Premises Licence (PREM709) that I wish to make representation to, including:

1. Increasing the numbers of persons from 59,999 to 75,000 plus an additional 1,000 Sunday tickets for local residents in 2018, to increase to 79,999 persons in 2019. (Condition A1)
  2. Extending public access to Wednesday (16,000 persons – 2018, 20,000 – 2019) (Condition A2)
  3. Extending the provision of regulated entertainment (both recorded and live music) to include the Wednesday from 1000-0000.
  4. Changing the noise criteria in Condition PN 12 to increase the noise levels in the octave bands with a centre frequency of 63 Hz and 125Hz to:  
1100-2100 – 68dB  $L_{eq}$  15 mins  
2100-2300 – 70dB  $L_{eq}$  15 mins  
2300 -0400 – 68dB  $L_{eq}$  15 mins
  5. Removing condition PN19 which requires that no regulated entertainment shall be provided in areas B and C as marked on the licence plan attached to the premises licence
  6. Increasing the site boundary area
- 1.0 Increasing the numbers of persons from 59,999 to 75,000 plus an additional 1,000 Sunday tickets for local residents in 2018, to increase to 79,999 persons in 2019. (Condition A1) and extending public access to Wednesday (16,000 persons -2018, 20,000- 2019)
- 1.1 In 2017, there were significant issues around ingress at the public entrance gates and in particular the West gate of the site. Reports suggest up to 9,000 people were held up at this gate having arrived by public transport. They waited for many hours to be processed into the site. Both the Local Authority and police received a number of calls from concerned parents about the welfare of their children, alleging crowd crushing, bottles being thrown into the crowds, lack of water etc. It was a scorching hot day, although the site was not ready, having been held up by the preceding three weeks of almost continual rain. Whilst some of these allegations were not founded, I am sure that Boomtown would agree that the situation was not managed well or responded to as efficiently as it should. Communications were poor which is why so many parents contacted the Local Authority and police.
- 1.2 I am aware that Boomtown takes matters of public safety extremely seriously and will no doubt have already put together a series of plans to prevent this



from happening again. However we would wish to see that the plans work in practice before supporting any extension in the numbers of attendees.

1.3 The applicant may argue that staggering the entrance of attendees by allowing 16,000 on the Wednesday (2018) and 20,000 (2019) will help to alleviate queues and ingress issues on the Thursday, however, if in 2017 the site wasn't ready for the first day of entrance on the Thursday, I fail to see how this could be guaranteed on the Wednesday.

1.4 The application does not make it clear if the number of stages and sound systems will increase if the number of attendees does. This in itself could make it difficult for Boomtown to be able to comply with the existing low frequency noise levels.

2.0 Extending the provision of regulated entertainment (both recorded and live music) to include the Wednesday from 1000-0000 and changing the noise criteria in Condition PN 12 to increase the noise levels in the octave bands with a centre frequency of 63 Hz and 125Hz to:

1100-2100 - 68dB  $L_{eq}$  15 mins  
2100-2300 - 70dB  $L_{eq}$  15 mins  
2300 -0400 - 68dB  $L_{eq}$  15 mins

2.1 We maintain that the existing condition PN12 (in PREM 709) reflects an appropriate balance of interests between the delivery of a successful event and the prevention of public nuisance within the community.

2.2 Music events such as Boomtown often employ music with a heavy bass (low frequency) content. Low frequency noise can propagate with little attenuation over considerable distances and cause significant annoyance / disturbance.

2.3 It has to be recognised that the propagation of sound is so highly dependent on weather conditions that it is not possible to frame a reasonable condition which would render music inaudible all the time. To add to the complexity, there are a number of villages surrounding the Matterley Estate that have very quiet background noise levels. It is recognised that however carefully managed these events can give rise to disturbances. We ascertain that the existing number of days permitted, hours and noise levels represent an appropriate balance to prevent public nuisance, but we recognise that this is a fine balance, and the increase to the number of days or hours of regulated entertainment proposed and an increase in low frequency noise levels will tip this balance and give rise to public nuisance.

- 2.4 The Event Organisers have, over the years, made considerable attempts to provide sound mitigation through the use of straw bales and screening of sound systems at stages, but it is argued by the Event Organiser that individual stages are unable to operate at audience / artist acceptable levels and this is the reason for a request in increase of low frequency levels. We are aware that Boomtown has on occasions struggled to comply with the noise criteria and this is especially evident at the low frequency levels, but this is not a valid reason for the Licensing Authority to agree to an increase. We would argue that with such a large number of stages, there is further scope for noise mitigation to comply with the existing conditions e.g. staggering closing times further / reducing the number of principal stages or reducing sound system size.
- 2.5 Since Boomtown has held events at the Matterley Estate, there has been a decrease in the number of noise complaints. Boomtown might maintain that this shows that there has not been a public nuisance caused and this provides additional headroom for the low frequency noise levels to be increased. Such an argument I believe, is flawed, as the low frequency noise levels have remained the same since the event started at The Matterley Estate when there were a higher number of noise complaints.
- 3.0 Removing condition PN19 which requires that no regulated entertainment shall be provided in areas B and C as marked on the licence plan attached to the premises licence and increasing the site boundary area
- 3.1 In the past, this Department has taken the view that expansions to the site and increases in the number of stages are acceptable, so long as the offsite noise criteria can be met, as demonstrated through a Noise Management Plan (which is required through a condition.)
- 3.2 However, there must come a point at which there are too many stages and sound sources that the Licence holder simply can't comply with the conditions. The applicant hasn't submitted details of the stages within the application so I can not tell whether they intend to use any of the additional land for stages. In addition, as a Premises Licence lasts indefinitely, this could change in the future. We are now, therefore in a position where we would expect the applicant to provide a description of what each area is to be used for, together with a set of parameters to restrict what stages can be located within these areas, substantiated through noise modelling criteria to demonstrate that the offsite noise criteria can be achieved.
- 3.3 Without this information, I do not believe that the applicant has demonstrated that they can meet the licensing objectives to prevent public nuisance and I

would not support removal of this condition or increasing the licensable site area.

#### 4.0 Additional conditions / alterations to existing conditions

If the Licensing sub- Committee is minded to grant this application, then I would ask that some additional conditions / amendment to existing conditions is made to assist in the evaluation of public nuisance. (as identified in red below). Alternatively if the Committee do not grant this licence, I would ask that these conditions are incorporated within the existing licence PREM 709, as follows:

##### 4.1 PN9 - Telephone number

We would ask that this condition is amended such that a telephone number is provided at least 21 days prior to an event.

##### 4.2 PN10 – Public Information Document

Currently reads 'The Premises Licence Holder shall produce and make available a Public Information Document with details of the arrangements for the event based on the EMP and NMP that might affect the local community. This shall be made available at least 7 days prior to the event and published through a method agreed with the Licensing Authority'.

I would ask that this is reworded to .....

'The Premises Licence Holder shall produce and make available a Public Information Document with details of the arrangements for the event based on the EMP and NMP that might affect the local community. The contents of the document and required distribution list are to be agreed with the Licensing Authority at least 28 days in advance of each event. The final agreed Public Information Document shall be distributed to recipients as agreed at least 21 days prior to the event. The document shall also be advertised in the Local paper at least 10 days in advance of each event.

##### 4.3 Insert a new condition:\*

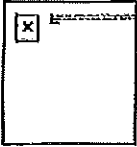
PN19 The Premises Licence Holder shall submit a post event Noise evaluation report to the Licensing Authority no more than 28 days after the end of the event.

This shall include:

- The event complaint log including names, addresses, dates, times and details of complaint and action, taken in response to each;

- The event noise log, including dates, times, locations of noise monitoring, to include noise readings made in accordance with the noise criteria in PN11 AND PN12);
- An explanation for any breaches of licensing conditions and any action that was taken to avoid breaching the noise criteria detailed in PN11 and 12
- A summary of what action can be taken to improve noise control and management, if appropriate.

\*Note that a very similar condition was added to PREM 500 (held by the Matterley Estate Landowner) following a review of the licence in 2013.



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**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

Before completing this form, please refer to FPP 07001 (Licensing (Licensing Act 2003))

Hampshire Constabulary is a responsible authority and wish to make a representation regarding under the Licensing Act 2003, regarding the:

<input type="checkbox"/> 1: Grant for a personal licence	(Object within 14 days)
<input type="checkbox"/> 2: Grant for a temporary event notice (TEN)	(Object within 3 days)
<input type="checkbox"/> 3: Transfer of a premises licence	(Object within 14 days)
<input type="checkbox"/> 4: Variation of designated premises supervisor	(Object within 14 days)
<input checked="" type="checkbox"/> 5: Grant/Variation of a premises licence/club prem' certificate	(Object within 28 days)
<input type="checkbox"/> 6: Minor variations	(Object within 10 working days)

Name of Applicant:	Boomtown Festival UK Ltd
Name of Proposed DPS:	Christopher Rutherford

Details of relevant conviction ( Personal Licence Applications ONLY)
N/A

Postal address of premises:	Boomtown Festival Matterley Bowl Alresford Road Winchester
Postcode:	SO21 1HW

**Details of responsible authority applicant**

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title / Rank:	PC 2903
Surname: Swallow	First Names: Brian
Current postal address :	Alcohol & Entertainment Licensing Officer Licensing and Alcohol Harm Reduction Team Southampton Central Neighbourhood Police Office Southampton City Council Civic Centre Southampton
Postcode:	SO14 7LY
Daytime telephone number:	[REDACTED]
E-mail address: (optional)	[REDACTED]

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**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

Hampshire Constabulary is a responsible authority and the applicant has the delegated authority of the Chief Officer of Police in respect of his responsibilities under the Licensing Act 2003

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**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

This application to object relates to the following licensing objective(s)

- |   |                                     |  |
|---|-------------------------------------|--|
| 1) The prevention of crime and disorder | <input checked="" type="checkbox"/> | <i>Please select<br/>one or more<br/>boxes</i> |
| 2) Public safety                        | <input checked="" type="checkbox"/> |  |
| 3) The prevention of public nuisance    | <input type="checkbox"/>            |  |
| 4) The protection of children from harm | <input type="checkbox"/>            |  |

Please state the ground(s) for representation:

An application has been submitted for a new premises for Boomtown Festival, Winchester (BTF). The venue does currently benefit from a premises licence, Prem 709 - 16/00621/LAPRMN refers. This application is therefore in effect an application to amend the existing licence without bringing the licence into question or have the possibility of it being adversely affected by any licensing or subsequent judicial process.

In essence, this application is seeking to increase the capacity for the event up to 80,000 persons. To open to the public (20,000 of the overall numbers) on the Wednesday of the event week. To extend the crew bar opening times to 21 days prior the event and 14 days post event and to amend the site layout.

There are also some proposed amendments to several existing premises licence conditions regarding noise levels and transport services.

The Chief Officer of Police has serious concerns that any increase in capacity for the event past its current levels would undermine the licensing objectives of the prevention of crime and disorder and public safety.

The event has serious issues with controlled (illegal) drugs, both being brought onto site and consumed during the event. In fact 4 people have died at the festival after taking controlled drugs in the last 6 years and hundreds have been dealt with at the medical and welfare facilities and a small number of people have been admitted to the intensive care unit of the Royal South County Hospital each year who have thankfully recovered. Over the years, it is acknowledged that the event organisers have gradually attempted to tackle the issue of the supply and consumption of controlled drugs by using a variety of tactics but it is the assertion of the Chief officer of Police that the impact of any improvements are not yet robust enough to ensure adequate public safety to the current 59,999 licensed attendees, let alone 80,000.

In particular, the Hampshire Constabulary has serious concerns over the effectiveness of the search operation managed by BTF in 2017 whereby they failed to adhere to their own crime and drug management plan (CDMP). Specifically BTF intended to:

1. Reduce the supply of controlled drugs to the festival



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**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

2. Reduce the demand for controlled drugs at the festival.

In 2017, BTF took the approach that they could not stop drugs entering the site entirely. They used an analogy that "you can't stop drugs getting into prisons so you can't stop drugs getting onto a festival site". The sentiment of this statement is accepted by the police as controlled drugs entered the site when the police were in control of the search operation. However, BTF is a privately operated profit making business and if public safety via the reduction in the supply of controlled drugs is their priority, the delivery of the plan to do so failed.

In 2017 approximately £222,973 worth of drugs were seized by the police or security companies via the search operation or amnesty bins. This is an increase from 2016 of £79,202 seized and £55,983 amnestied, (£135,185).  
The drugs seized were predominantly ketamine, cocaine and nitrous oxide.

It could be argued that this is evidence of a more robust search and security operation. However, this increase is also evidence that BTF is still viewed by those attending as a festival that is tolerant of the presence of controlled drugs and that the communications leading up to the event are not leading to a change in behaviour. Equally, BTF's intention is to change the profile of its artists and therefore the profile of its customers leading to a reduction in the drugs culture of the event. However this has not yet been adequately achieved and until it is, the risks from the consequences of consumption of controlled drugs is still high and therefore an increase in capacity should not be considered until the profile of those attending the festival has changed.

Police records indicate that 33 persons were arrested on suspicion of possession with the intent to supply (PWITS) controlled drugs in 2017. It is worth noting that this number is down from 2016, 48 arrested for the same offence. However new procedures were implemented this year which limited the searching of patrons entering the site. For several years the search operation that was once managed by the Hampshire Constabulary has gradually been handed back to security companies employed by BTF. In 2017 the search process was managed and operated solely by BTF. Whilst the security companies were successful in locating controlled drugs on those they searched, they had limited training in how to handle those drugs and often the continuity of evidence was lost meaning that the police could not pursue a prosecution (mention will also be made later of a suspension in the search operation). Clearly the prosecution and imprisonment of those supplying controlled drugs is one way to prevent this type of crime.

BTF stated in the 2017 CDMP that festival drug experts would be employed at every gate. Their role was to advise staff finding quantities of controlled drugs and to advise the evictions manager on whether any cases should be transferred to the police. In reality not enough festival drug experts were employed to ensure coverage at every gate for the whole period the gates were open which contributed to the lack of successful arrest and prosecutions.

The lack of control and management of the gates in control of BTF was also evident when

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**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

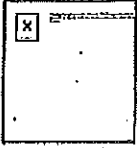
all searching was suspended by BTF for a period of three hours in order to alleviate the pressure on the queues and gates and road network. Several thousand persons had turned up to enter the site but due to inclement weather prior to opening, there was a delay on the formal opening. This caused the build-up of persons trying to gain entry. The weather changed dramatically seeing high temperatures and sunshine. Social media became awash with negativity towards BTF. Parents of children attending the festival contacted local media to voice concerns that their children were suffering from heat stroke, dehydration etc. and there was little or no communication from BTF to those persons queuing. As a result, BTF took the decision to fully open the gates and suspend the searching process for 3 hours. They did this without communicating their decision via the Event Liaison Team (ELT) which would have included the police, highways and other partner agencies in attendance. It was at this point, so early on in the festival that the police commander is of the opinion that BTF lost control of the event with regards to controlled drugs on site. It should also be noted that during this period offensive weapons also entered the site and there were at least 3 incidents throughout the course of the festival where this became evident – a male in possession of a blade; a female found in possession of a stun gun disguised as a torch and an incident whereby a male was arrested for attempted GBH after swinging an axe at a member of the security team. After arrest he was found in possession of 3 weapons. Had the police been consulted with about the suspension of the search operation they would have considered other ways to alleviate the queues. At the scheduled Event Liaison Team meeting later that same day, the silver commander expressed concerns that BTF had simply moved the risk from the queues – (an environment they could control), to the festival itself – an environment that was far more difficult to control.

The Chief Officer of Police is of the belief that this poor decision by BTF was made to "save face" via the fast rolling media backlash and that such a key decision should have been consulted on in an emergency ELT meeting before it was enacted. Ironically, screen shots obtained from social media (Facebook) post event clearly show that the patrons to the event, quickly forgot about any issues gaining entry onto the site and discussed openly the ease and accessibility of obtaining illegal drugs.

This failure is detailed in a report submitted separately by Superintendent Kelly Whiting who was the police "silver" commander for the event who will comment on the detrimental effect that this decision had on the policing operation along with other aspects of the event.

The "Loop" was a new initiative for 2017 which allowed persons in possession of illegal drugs in the festival to take a sample of their drugs to be tested by experts. They would be given an indication of the strength and type of drug tested and its potential effects. This process was anonymous and the drugs amnestied. The persons submitting the tests for analysis had to engage with a drugs worker for 15 minutes to get the information. The process was anonymous and utilised without fear of arrest or ejection.

This procedure was utilised over 2000 times over the course of the festival. BTF will argue that this is a positive step to highlight the effects of controlled drugs by offering support and key information to those intent on utilising controlled drugs at their festival. This does not detract from the key fact that at least 2000 people had either purchased controlled drugs



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**New grant or variation of premises licence  
Or club premises certificate  
Form for representations from Hampshire Constabulary**

whilst at the festival or brought it with them which were not detected upon entry. Either way, BTF failed in their commitment in relation to supply of controlled drugs.

To evidence the 'ad hoc' delivery of the CDMP plan, an unsolicited report was sent to the police silver commander by one of Hampshire Constabularies drug expert witness, Annie Hodge who attended the 2017 event. Within her report she described the new practices adopted by BTF as "unlawful, dangerous, risky and highly immoral". She goes on to say:

"To be told by staff of Boomtown that all controlled drugs recovered from amnesty bins were the property of Boomtown and were being passed to Tic Tac for their purposes, is a situation that I find incomprehensible. I am well aware that Tic Tac has a Home office licence, but surely that has to be some accountability of what is handed over to them. At no time was there ever any accountability for these drugs. We are quoted a figure of over £70,000. I or my colleagues are not in a position to comment either way."

"I personally saw security staff under the influence of drugs whilst going round the festival, and a number of other festival goers reported the same. The total lack of accountability of controlled drugs at this event is open to serious risks and further criminality, which is unacceptable"

"The policies adopted at this festival considerably increased the risk to life"

The full report will be submitted under separate documentation.

The author of this report is not alone in being highly critical of the searching operation and drug culture of BTF. In another unsolicited report, Police Sergeant Spencer Wragg writes:

"I can honestly say in 22 years I have never worked in such an environment of open drug culture of the event. The amount of persons clearly under the influence of drugs was phenomenal and it seems to be accepted that it is just the event. Obviously drug taking at a festival is nothing new but I was taken back by the pure acceptance of it at this festival as business as usual. I appreciate that the organisers are making measures to search every person and a number of PWITS prisoners were arrested, however I would suggest that we aren't having any impact on the amount of drug use at Boomtown."

In his report, which again is attached separately, he goes on to include specific examples of the effects of drug taking that he witnessed first-hand.

Having attended this event for the last three years in the role as dedicated licensing officer I am amazed each year at the amount of illegal drug taking I openly see on site. The smell of cannabis is evident in almost all parts of the site during the entire duration of the event. I have regularly seen persons smoking cannabis openly on site.

I have seen persons attempting to "snort" white powder off their hands as they are walking along within the site. I have seen groups of people sitting around inhaling nitrous oxide from balloons and whilst dancing. Discarded "NOS" canisters and drug bags litter all parts of the

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site

I have also seen the effects of drug taking. Last year, I witnessed a male attempting to cause himself serious physical harm by throwing himself head first on the ground after climbing on structures. His friends with him explained that he had taken ketamine and cocaine all weekend as had they. He had to be physically restrained by several persons for his own safety.

People are regularly seen walking around the site in a "zombie" like state. I would strongly suggest in my 21 years policing experience that this is caused through taking illegal drugs rather than the consumption of alcohol."

Police Sergeant Justin Kinsley is the "lead planner" for the event from an operations perspective. In a separate report he will worryingly demonstrate how the searching / security operation failed at the 2017 event from a counter terrorist perspective too, i.e. within this year's security plan, details were provided how BTF would deter a terrorist attack. This was highly topical as BTF shortly followed the Manchester bombings. Searching, strategic physical barriers, additional security measures and awareness were all proposed by BTF and actually commended by Hampshire Constabulary as being very well thought out and proportionate.

BTF failed to deliver on all aspects of their counter terrorism measures. Full details will be included in Sergeant Kinsley's supplementary report.

The applicant has not offered any changes to the current premises licence by way of conditions or diligence to mitigate any increase in crime that an increase in capacity will generate. The police therefore assume that the intention will be to amend any event / crime plans. This would not be sufficient. As a minimum, the police would consider the need to amend proposed condition CD7 to read:

SIA registered security staff shall search 100% of all persons entering the site. This search shall be sufficient to detect controlled drugs on the person and in any possessions brought onto the site by that person.

Searching, refusal and ejection information shall be included on all promotional material in a prominent position. It shall also be included upon every ticket / admission voucher.

Signage shall be prominently displayed at every entrance to reiterate the searching, refusal and ejections policy.

Any person found in possession of any controlled drugs without a lawful excuse shall be refused entry to the site.

Any person found in possession of any controlled drugs without a lawful excuse, whilst in the event shall be ejected.

Condition PS4 should also be amended to read:

No psychoactive substance in any state (gas / powder / liquid) shall be allowed on the site

The Chief Officer of Police does accept that there is a valid rationale to consider the event operating on the Wednesday of the event week, staggered to accept 20,000 persons over a two year period. The police can accept that if ticket allocation, i.e. 5 day tickets are differentiated between 4 / 3/2/1 day tickets to avoid vast numbers of persons arriving on a

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Wednesday then this could be conditioned accordingly.

The Chief Officer of Police can also accept an amendment to allow the crew bar to be able to operate for an extended period, pre and post event for the times requested. We would however request that the words "and their bona fide guests" is removed from the proposed condition. If allowed to remain, this would in effect allow persons off site entry into the venue. There would be little control of their movements and the police would question the motives in relation to the supply of illegal drugs.

The police have attempted to work closely with the event organisers over the years to reduce crime and disorder at this annual event that has also grown in size and popularity. It is fair to say that an overall reduction in theft, violence against the persons and sexual offences have reduced significantly.

It has been with this rationale and motivation that the police have previously engaged and mediated with the event organisers, as is promoted by the Licensing Act 2003 and the 182 guidance rather than take formal action in the way of review when serious failings (4 deaths) have occurred at the event. Following last year's event, the police are not confident that BTF are able to deliver against the event and crime management plans to prevent controlled drugs from entering the site and that a greater capacity will increase the supply and demand of controlled drugs. Criminal gangs who already target the event will do so in greater numbers more people will take drugs leading to the potential for more deaths and near misses.

The Chief Officer of Police is therefore satisfied that if this application is granted, the licensing objectives of the prevention of crime and disorder and public safety cannot be met.

**It is an offence, under section 168 of the Licensing Act 2003 to make a false statement  
in or in connection with this representation**

Police recommendations (including any conditions)

Refuse application

Signature of Officer Completing

Name PC B Swallow

Collar Number: 2903

Signature: Brian Swallow

Date: 27/12/17

Signature of Authorising Officer

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**New grant or variation of premises licence  
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Form for representations from Hampshire Constabulary**

Name Superintendent Whiting Collar Number: 98  
Signature: Kelly Whiting Date: 27/12/17

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**Matthew Tucker**

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**From:** Sykes, Richard [REDACTED]  
**Sent:** 04 January 2018 14:56  
**To:** Licensing  
**Cc:** Neville Crisp; David Ingram  
**Subject:** Boomtown Festival UK Limited 2018  
**Attachments:** Boomtown Licence Changes 2018 - Comments.docx

Dear "Licensing"

Please find attached representation from HCC as the highway authority. I trust that this is in a suitable format, please let me know if it is not.

Many thanks,  
Richard

**Richard Sykes**  
**Principal Engineer - Highways Unit South and East**  
Hampshire Highways  
Hampshire County Council  
Botley Road Depot  
Bishops Waltham  
Hampshire  
SO32 1DR

Tel. 0300 555 1388

Web: [www.hants.gov.uk/roads](http://www.hants.gov.uk/roads)

 [@Hantshighways](https://twitter.com/Hantshighways)



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## **Hampshire County Council Representation on 2018 Application for Premises Licence at Boomtown**

### **Introduction**

As highway authority, Hampshire County Council is predominantly concerned with issues of safety and traffic congestion on the highway and how the Boomtown event impacts on users of the highway in relation to these factors.

A comprehensive Traffic Management Plan (TMP) is produced by the event organisers each year as part of the Event Management Plan. The TMP is intended to address issues of traffic safety and congestion therefore minimising the adverse effects the event may have upon the travelling public. However, it must be understood that an event of this nature and size will inevitably cause congestion on the surrounding highway network and the TMP can only look to manage traffic in such a way as to minimise this congestion to acceptable levels. It will never be able to remove all possibility of congestion occurring on the network and raises the question as to what level of congestion is acceptable.

In 2017 considerably less congestion occurred on the network than during the 2016 event, however there were still reports of significant delays to through traffic particularly during the day on Monday throughout the main period of egress from the event.

### **Proposed Licence Changes in 2018/19**

There are two main changes within the new licence application which could affect traffic on the highway, namely the lengthening of the event to include the Wednesday and the increase in numbers of attendees by 27% in 2018 and by 33% in 2019, both relative to 2016 levels.

The lengthening of the event to include the Wednesday will require the traffic management implemented for safety reasons on the A31 and A272 to be in place for an additional day. This would also include the "gap closures" on the A31 which have, in previous years, been an issue for many of the locals whose journeys can be significantly longer when the closures are in place. Many would consider this an additional disruption which adds to the public nuisance suffered during the event.

The event organiser has estimated that the increase in numbers of attendees for 2018 will result in the following increases in vehicles. These figures are public only and do not include crew, artists or volunteers:

- 1) Parked cars – 8,500 to 10,000 – 17% increase
- 2) Drop offs/collects - 1,800 to 2,000 – 11% increase
- 3) Coaches – 330 to 450 – 36% increase
- 4) Shuttle Bus movements – 122 to 143 – 17% increase

An increase in the number of vehicles of this scale can only add to the congestion on the surrounding road network, particularly on the Monday when everyone wishes to leave site over a short time period. There is also potential for congestion to extend onto the Motorway and Trunk Road network operated by Highways England. The event organiser will need to consider significant changes to the TMP in order to mitigate the effects of this additional traffic.

It has also been noted that the organiser has omitted the condition within the licence application (previously condition PN4) relating to undertaking a comprehensive traffic management survey and assessment. In the light of the significant increase in traffic levels for 2018, and proposed further increase in 2019, it would seem essential that this traffic monitoring is undertaken. If the new licence is granted Hampshire County Council would wish to see this condition remain part of the licence conditions.

### **Conclusion**

Hampshire County Council, as highway authority, believes that the new licence application is likely to adversely impact on the licencing objective of "the prevention of public nuisance" by causing an increase in congestion on the highway network along with additional disruption due to the proposed increase in the duration of the event.

Should the licencing authority choose to approve the new licence, HCC would recommend that the condition PN4 of the original licence be retained as part of the new license conditions.





**Hampshire  
County Council**

Environmental Health & Licensing  
Winchester City Council  
Colebrook Street  
Winchester  
SO23 9LJ

Adults' Health and Care  
Public Health  
Elizabeth II West  
The Castle  
Winchester  
Hampshire SO23 8UQ

Telephone 02380 383332  
Fax 01962 834360  
DX Winchester 2510  
www.hants.gov.uk

Enquiries to	Ileana Cahill	My reference	
Direct line	02380 383308	Your reference	
Date	29 December 2017	E-mail	

Dear Licensing Committee

**Re: Boomtown License Application**

This representation is made on behalf of the Director of Public Health at Hampshire County Council in her role as a responsible authority under the Licensing Act 2003 and concerns the following licensing objectives:

- Public Safety
- The Protection of Children from harm

The Boomtown license application to increase the number of people accessing the Boomtown festival by 16,000 in 2018 and a further 4,999 in 2019 and extending the provision to supply alcohol will potentially have an impact on both of the licensing objectives identified above.

**Section 182 Guidance:**

***2.2 Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.***

Alcohol related harm is a major health issue and in England, alcohol misuse is the biggest risk factor for early death, ill health and disability for those aged 15 to 49 years.<sup>1</sup> In 2017 there were 1804 medical incidents recorded at the Boomtown

<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/583047/alcohol\\_public\\_health\\_burden\\_evidence\\_review.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/583047/alcohol_public_health_burden_evidence_review.pdf)

Director of Adults' Health and Care  
Graham Allen

Chief Executive  
John Coughlan CBE



Festival (Boomtown medical stats attached), with 47 hospital attendances and 1 admission to Royal Winchester County Hospital. Whilst it is unclear from the data recorded how many of these incidents are related to alcohol, a national study estimated that up to 70% of hospital attendances are alcohol related, with the most common reasons for attending being trauma related injuries followed by psychiatric problems<sup>2</sup>.

It should also be noted that there were 146 medical incidents related to drugs, with one hospital admission due to harmful substance abuse which led to a hospital stay of 3 days.

Additional capacity at the event is likely to result in an increase in the number of alcohol / drug related incidents. Increasing the days on which alcohol is sold is highly likely to lead to an increase in alcohol consumption and alcohol-related harm and vice versa<sup>3</sup>.

***2.23 Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:***

- *It is known that unaccompanied children have been allowed access;*
- *There is a known association with drug taking or dealing*

Whilst the number of incidents reported of under 18s purchasing alcohol was relatively small in comparison to overall attendance (2 failed test purchases in 2017), if this type of issue were encountered in a licensed premises it would lead to serious repercussions for the Designated Premises Supervisor and premises license holder respectively. In this instance it is recognised that incidents have occurred under the current systems put in place by Boomtown and we would expect these procedures to evolve and adapt to prevent further incidents in future years. It is important to note that 2 young people under 18 years attended hospital. They primarily attended for mental health issues and it was not recorded whether drugs /alcohol were also involved.

### Recommendations

The Director of Public Health acknowledges the value of staging events such as Boomtown that generate income and place Winchester on the map for the right reasons. However, given the proposed increase in numbers accessing the site and the extension of licensing hours, it is recommended that Boomtown should have a

<sup>2</sup> [http://emj.bmj.com/content/early/2015/11/19/emmermed-2014-204581?utm\\_source=TrendMD&utm\\_medium=cpc&utm\\_campaign=Emerg\\_Med\\_J\\_TrendMD-0](http://emj.bmj.com/content/early/2015/11/19/emmermed-2014-204581?utm_source=TrendMD&utm_medium=cpc&utm_campaign=Emerg_Med_J_TrendMD-0).

<sup>3</sup> [http://emj.bmj.com/content/early/2015/11/19/emmermed-2014-204581?utm\\_source=TrendMD&utm\\_medium=cpc&utm\\_campaign=Emerg\\_Med\\_J\\_TrendMD-0](http://emj.bmj.com/content/early/2015/11/19/emmermed-2014-204581?utm_source=TrendMD&utm_medium=cpc&utm_campaign=Emerg_Med_J_TrendMD-0).

Director of Adults' Health and Care  
Graham Allen

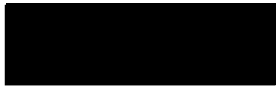
Chief Executive  
John Coughlan CBE

plan that includes the following:

- work with the hospital and ambulance services to ensure there is a joint plan for reducing the numbers of people presenting to A&E and that there continues to be appropriate support on site for people who may be using recreational drugs and alcohol at the event.
- a robust system to ensure that the Challenge 21/25 scheme is enforced
- an improved process for ensuring that young people are not exposed to the sale or consumption of recreational drugs.

I would ask that the committee ensures that the points above are addressed and that the committee is satisfied that the potential risk to public safety and to the health and safety of children and young people, through an increase in the numbers attending Boomtown and any extension to the provision to supply alcohol, can be appropriately mitigated.

Yours sincerely



**Dr Sallie Bacon**  
**Director of Public Health**

*Director of Adults' Health and Care*  
**Graham Allen**

*Chief Executive*  
**John Coughlan CBE**

**Matthew Tucker**

---

**From:** David Ingram  
**Sent:** 08 January 2018 17:02  
**To:** Licensing  
**Cc:** Matthew Tucker  
**Subject:** FW: Boomtown fair 2018

Matthew, another Rep, this time from HFRS.

Regards

*David Ingram*

Head of Environmental Health & Licensing (Winchester City Council's Safety Advisory Group Chair) | Environment Division | Winchester City Council | Colebrook Street | Winchester SO23 9LJ | Tel: 01962 848479 | [www.winchester.gov.uk](http://www.winchester.gov.uk)

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**From:** Richard Hewitt [REDACTED]  
**Sent:** 08 January 2018 17:01  
**To:** David Ingram; KERRY VEITCH  
**Subject:** Boomtown fair 2018

Dear David & Kerry,

Hampshire Fire and Rescue Service (the Service) acknowledges your Premises License application for Boomtown 2018, which includes an increase in both area and numbers. I have sought guidance from our Enforcement Support Team and would like to offer this response.

At the time of the license application, the Service responded with the comment 'the Fire Authority does not wish to make representations to the licensing authority at this time'.

I have worked with both the local authority and the 'Boomtown Fair' management team for many years and the event has made great steps forward in the organisation and compliance of legislation.

Every year myself and the team has made improvements through positive dialogue, better understanding of each other's priorities and compromise. The public who attend and those working on the site are now considerably safer than ever before. It is the intention of Hampshire Fire and Rescue Service to continue this positive working relationship and continue to improve the safety of all.

Following the inclement weather in the lead up to last year's event, I believe it highlighted weaknesses in the event's plan. Although these concerns have been raised and discussed, I still believe those issues should be revisited so that your organising committee are better prepared and more resilient in readiness for this year's and future year's events.

With the support of the Service and its Enforcement Support Team, I have been advised that I can raise my concerns to your organisation and the licensing authority despite missing the original deadline for the submission of representations. It is acknowledged that HFRS are unable to ask for any conditions to be

Imposed on the licence, however when the Fire Safety Order applies on site, we will take into account the matters outlined below. At this time we raise these matters as a point of goodwill.

For clarification my concerns are:

1. With the increased area and the larger amount of people on site, this will lead to greater traffic congestion. Greater congestion creates larger queues and bottlenecks on the main arterial routes around the site.

This increases attendance times for emergency vehicles to respond to any incident at the venue, therefore creating a greater risk. Within the information about Boomtown Fair 2018 submission there did not appear to be any considerations given to the public's safety from fire. There were no comments on numbers of fire appliances or their location, nor the numbers or locations of bases the fire team would operate from.

Whilst the Service understands that weather conditions are under no one's control, last year the weather nearly brought the show to an end before it had started. The mud, access, egress and the main roads that formed the emergency services' routes on site were impassable. Luckily there were no major incidents that required an emergency response from the onsite fire team.

I recommend that two or more bases and more vehicles and crew are provided so that any required response does not fall short of expectations and requirements.

2. There exists a potentially serious and dangerous situation in both the crew sleeping and back of house areas. The Boomtown Fair management team worked very hard at short notice to ensure these areas were made as safe as possible. However the crew areas did not comply with the necessary legislation as the means of escape, means of detecting and giving warning of fire, and separation between vehicles, generator equipment, cooking areas and sleeping areas were not adequate. The Service does not accept any accounts given, that any lack of provisions relating to fire safety are accepted at other venues.

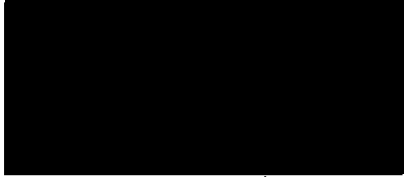
Without more control of the staffing and back of house areas we could possibly see deaths or serious injuries from a fire starting in a vehicle or generator located too close to a vehicle or tent used for sleeping. The on-site fire fighting crews will assume that persons are sleeping in these areas should a fire occur and expose themselves to a greater risk than may be necessary. Because of the way they are situated there is the potential for multiple persons or, less seriously, multiple vehicles or exhibition units being lost to fire.

I recommend that these areas are much more closely scrutinised and controlled than in previous events to reduce the risks described above to as low as reasonably practicable.

Please note that Hampshire Fire and Rescue Service are willing to assist the event organisers in making the event safer in future years through dialogue and communications with the Boomtown Fair management team.

I thank you for your time.

Regards



Richard Hewitt  
Business Fire Safety Officer  
Winchester & Test Valley Group  
Winchester Fire Station  
Easton Lane  
Winnall  
Winchester  
SO23 0LF

mobile 07918887864  
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Licensing Section  
Winchester City Council  
City Offices  
Colebrook Street  
Winchester  
SO23 9LJ

21<sup>st</sup> December 2017

Dear Sir/Madam,

**Application from BoomTown Festival UK Limited for a new Premises License for Matterley Bowl, Alresford Road, Winchester, Hampshire.**

Thank you for notifying the South Downs National Park Authority (SDNPA) of the above premises license application. The SDNPA is the Local Planning Authority for the area and is a responsible authority under the Licensing Act 2003.

Considerations are limited to the four licensing objectives of:

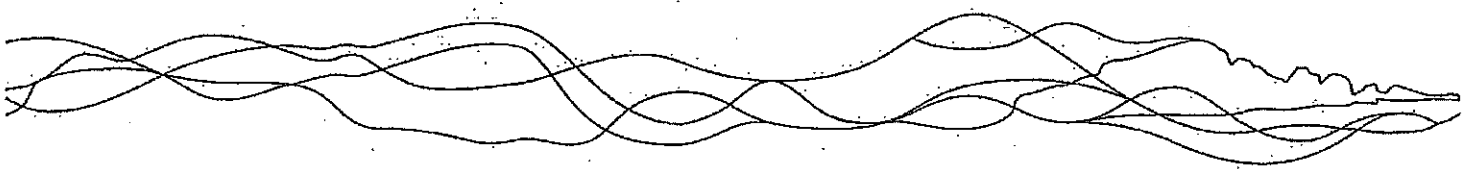
- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

Sitting alongside these objectives however, is also the statutory duty of the licensing authority as a relevant authority under Section 62(2) of the Environment Act 1995. This requires that *"In exercising or performing any functions in relation to, or so as to affect, land in a National Park, any relevant authority shall have regard to the [purposes of the National Park] and, if it appears that there is a conflict between those purposes, shall attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park"*. This duty is also set out in paragraph 1.7 of Winchester City Council's Licensing Policy (April 2016).

The purposes of the National Park are to:

1. Conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and
2. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

Further information on the special qualities of the National Park can be found at the following link: <https://www.southdowns.gov.uk/wp-content/uploads/2015/03/SDNP-Special-Qualities.pdf>



One of the special qualities of the National Park is tranquil and unspoilt places. Tranquillity is considered to be a state of calm, quietude and is associated with a feeling of peace. It should be noted that tranquillity is not just affected by noise but may also be affected by the nature of activities taking place, the presence of structures which may be alien in the National Park landscape, traffic movement, lighting etc. The National Park retains significant portions of dark night skies and in 2016 was designated as an International Dark Night Skies Reserve, only the second in England and the 12<sup>th</sup> in the world. Further information can be found at: <https://www.southdowns.gov.uk/enjoy/dark-night-skies/>

Therefore, notwithstanding the defined scope of the licensing objectives, the purposes of the National Park designation must be taken into account when considering an application for a new premises license within its boundaries. In terms of reconciling the objectives of the licensing regime with the broader duty of regard for National Park purposes, this a decision for you as the licensing authority to make. However, paragraph 8 of the 2005 DEFRA guidance note (Duties on relevant authorities to have regard to the purposes of National Parks, Areas of Outstanding Natural Beauty (AONBs) and the Norfolk and Suffolk Broads), offers the following advice *"it is important for all to be aware that the [duty of regard for National Park purposes does] not override particular obligations or considerations which have to be taken into account by relevant authorities in carrying out any function. However, [the duty is] intended to ensure that the purposes for which [National Parks] have been designated are recognised as an essential consideration in reaching decisions or undertaking activities that impact on those areas."*

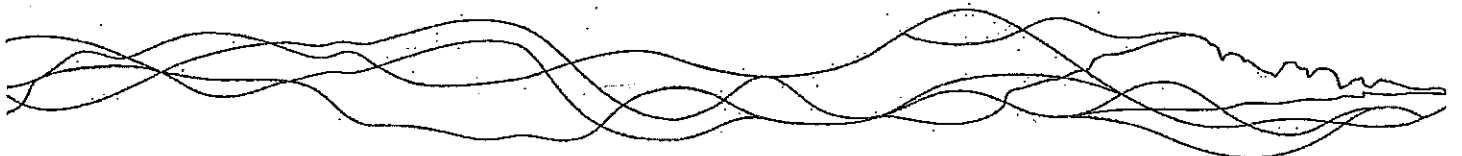
The SDNPA note that there is an existing premises license for the festival. The proposed license would differ from the existing one in several key regards. Of particular note to the SDNPA are the following changes:

- An increase in the total number of people attending the festival (both ticket holders, performers, guests and staff) from 59,999 to 75,000, plus an additional 1000 ticket holders on the Sunday for the 2018 event, and increasing to a maximum number of 79,999 persons from 2019.
- An Increase in the length of the festival by an additional day (Wednesday), albeit that public access on that day would be restricted to 16,000 persons in 2018 and 20,000 persons in 2019.
- An increase in low frequency noise levels throughout the festival.

It is unclear from the information provided how the new license would affect the total number of people travelling to and from the festival by public transport or coach transfers.

It should be noted that, due to the scale and length of the festival, that planning permission is required. The SDNPA granted planning consent on 3<sup>rd</sup> November 2016 to hold the festival for a temporary three year period until 31<sup>st</sup> December 2019 (planning reference: SDNP/15/06486/FUL). The reason for granting a temporary consent only was in order to monitor and review the impact of the additional number of attendees on the amenities of the area and special qualities and enjoyment of the National Park.

It should be noted that the current planning consent limits the festival to be held for four days only, with a maximum of 59,999 attendees (including ticket holders, performers, guests and staff). Any works associated with the setting up and dismantling of any infrastructure required for the festival is also limited to 9 weeks in total. Planning permission is therefore





required for the changes proposed in the new license, and the SDNPA understands that the applicant intends to submit a planning application shortly.

Without wishing to pre-determine the outcome of any such planning application (and recognising the different objectives and remit of the licensing and planning regimes), given the reason for granting a temporary planning consent, the SDNPA would question whether it is premature to seek an increase in the scale of the event at this time, particularly while we still continue to monitor the impact of the temporary permission.

When considering the expected planning application, the SDNPA will have due regard to the input from similar bodies to those who will be submitting views on the license application. The SDNPA would request that, in having regard to the purposes of the Park, that particular scrutiny be given in the consideration of the license application to the responses from the Environmental Health Team, the Highways Authority, the Emergency Services, Public Health bodies, and would expect that these would help the Council in forming their decision.

Yours faithfully,

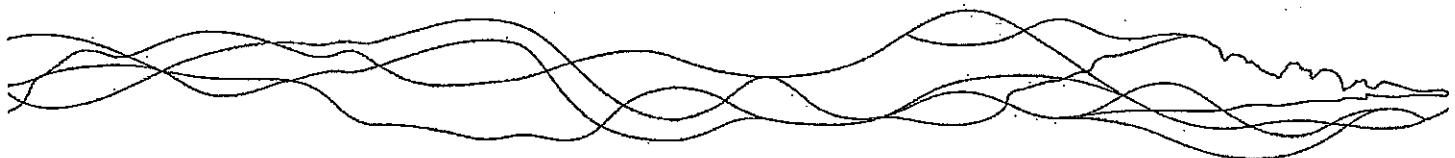
Hannah Chapman  
Assistant Planning Link Officer (Winchester, Chichester and East Hampshire)  
[planning@southdowns.gov.uk](mailto:planning@southdowns.gov.uk)

South Downs Centre, North Street,  
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[www.southdowns.gov.uk](http://www.southdowns.gov.uk)

Chief Executive: Trevor Beattie





**Matthew Tucker**

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**From:** Emily Fisher [REDACTED]  
**Sent:** 07 December 2017 14:17  
**To:** Licensing  
**Subject:** Boomtown planning

I would like to register my most sincere objection to the extension of the boomtown festival size and duration.

This event is clearly audible from our home and the noise continues until very late at night and during the day. There is little respite. This is irritating of manageable for the current few days but longer would be really disruptive.

Furthermore the traffic systems cause havoc along the main arteries in to our home (via m3, a31, a272) making travel difficult. Driving at night past the site is terrifying with festival attendees, or spectators, stepping on and off the road (a272) wearing no reflective clothing. The attempts at traffic controls at the motocross event on the boomtown site this summer caused enormous delays (an hour to travel along a 4 minute stretch of road), so do not inspire confidence in the sites ability to manage the broader impact of their events on the neighbourhood.

In addition to this, the additional traffic along our small and rural lane adds to the noise and is a safety hazard. The councils bizarre refusal to allow there to be a speed limit through our village really exacerbates this problem.

Please register my strong objection to the application on this basis.

Emily Fisher  
Beauworth Manor  
Beauworth  
Airesford  
SO240NZ

Emily Fisher  
[REDACTED]

**Matthew Tucker**

---

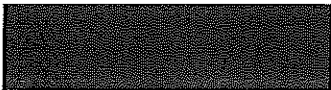
**From:** Pierce Brunt [REDACTED]  
**Sent:** 07 December 2017 14:32  
**To:** Licensing  
**Subject:** Boomtown Premises Licence Application

I would like to register my serious objection to the above Application.

As residents of a close neighbouring rural village, we feel that both the numbers (up to 79,000) and the duration (6 days) are inappropriate for the location and setting and would cause unacceptable levels of noise, traffic congestion and inconvenience - not in keeping with the attractive atmosphere and environment of this part of the National Park.

Thank you

Pierce Brunt  
(N.R.P.Brunt)



Manor Farm House  
Beauworth  
ALRESFORD  
Hampshire  
SO24 0NZ

**Matthew Tucker**

---

**From:** Neil Saunders [REDACTED]  
**Sent:** 14 December 2017 09:05  
**To:** Licensing  
**Subject:** Boomtown Festival UK Ltd's application for New Premises Licence for Matterly Bowl.

**Hamilton Farmhouse  
Beauworth  
Alresford  
Hampshire**  
[REDACTED]

Dear Sir/Madam

**Re: Boomtown Festival UK Ltd's application for New Premises Licence for Matterly Bowl.**

I am writing in my capacity as Chairman of the Beauworth Meeting, to object in the strongest terms on behalf of the people of the Beauworth Parish, to the recent application for the Boomtown Premises Licence.

**Objection on the grounds of Public Nuisance**

The local communities have had to endure significant and increasing levels of disruption over the last few years as the Boomtown event has grown in capacity. The road system surrounding the area ends up gridlocked for hours on multiple days. The traffic problems cause huge disruption and nuisance to the local area and its residents and businesses. The only way to mitigate these road traffic issues and associated delays is to reduce the number of people attending the event rather than increase it. Under no circumstances should the event be allowed to grow in capacity or duration. After years of previous experience it is clear that whatever promises and arrangements for better traffic management are made, the problem only gets worse as the event grows.

The noise generated by the event is also seen as a major public nuisance in the local area. Attempts to moderate, manage and enforce noise levels have, so far, proved unreliable. I don't believe that measures taken during past events have successfully reduced the impact to the local community. The music and especially the bass levels, can be heard for miles and cause many local people significant upset and disruption to sleep. This is completely at odds with the character of the South Downs National Park in which we all live.

The disruption and impact on the South Downs Way is something which seems to go relatively un-noticed, possibly because many of the users of this iconic and important National Trail do not live locally and therefore are unsure how to complain. I have cycled along the South Downs Way in the immediate aftermath of these events and I was horrified at the carnage I witnessed. Apart from the rubbish and debris which ends up scattered across the trail, it is also used as unofficial toilet facilities by the festival goers. Human faeces and toilet paper ends up lining the side of the path. If this doesn't represent a public nuisance, then I really don't know what does? How can this be allowed to happen on a National Trail within a National Park in 2017? Any increase in capacity or duration of this event would be indefensible.

**Objection on the grounds of Public Safety**

There are very real and tangible dangers with regard to holding events of this scale in areas which simply can't cope with the demands placed upon its infrastructure. With a history of road traffic chaos, many festival goers already park or get dropped a distance away and then walk in. I have witnessed many near misses with pedestrians crossing the road amongst frustrated and chaotic traffic. The mud brought out of the site creates an even more significant danger by making the road surface extremely slippery and unsafe. I would like Winchester City Council to take notice of this warning - at some point there is likely to be a serious road accident which will have been caused by these problems. The only way to make this event safer is to reduce attendee numbers from the 2017 levels and ensure that they are never allowed to increase.

I refer to my point in the previous section regarding the use of the South Downs Way as an unofficial latrine by festival goers. This clearly represents a public health hazard to the public who use the South Downs Way in the aftermath of an event.

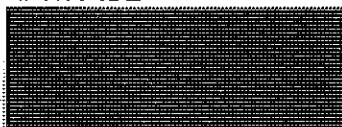
**Conclusion**

The Boomtown event has already been causing significant public nuisance and disruption over recent years. Winchester City Council have allowed the event to grow way beyond an acceptable level and there is a large and rapidly growing feeling of discontentment and frustration with the situation. I sincerely hope that this new application is dealt with sensibly and robustly by Winchester City Council. Winchester City Council should listen to the local community on this occasion and ensure that our rights and needs as a community are protected.

Yours sincerely,

Neil Saunders

Neil Saunders  
Hamilton Farmhouse  
Beauworth  
Alresford  
Hampshire  
SO24 0PB



**Matthew Tucker**

---

**From:** Michael Curtis [REDACTED]  
**Sent:** 10 January 2018 17:52  
**To:** Matthew Tucker  
**Subject:** Re[2]: Boomtown 2018

My address is ...Gastons ,Kilmeston,Alresford..Hants SO 245 ONL

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

**From:** MTucker@winchester.gov.uk

**To:** [REDACTED]

**Sent:** 10/01/2018 16:43:42

**Subject:** RE: Boomtown 2018

Dear Mr Curtis – I have been asked to clarify your address so that your objection is valid under the Licensing Act 2003.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

---

**From:** Michael Curtis [REDACTED]  
**Sent:** 09 December 2017 22:36  
**To:** Licensing  
**Cc:** Kilmeston & Bishops Sutton Parish Council  
**Subject:** Boomtown 2018

David Ingram

Please find attached my summary document on Boomtown which makes it quite clear why you should throw this dreadful nonsense out...Winchester does not need this and it is a dreadful bore and blight on our countryside. We have had enough of this third rate stupidity

Michael Curtis

As from Kilmeston

1. Since April 2016 you should have been imposing stricter conditions with regard to noise controls on sites which are within the South Downs National Park which has a policy to protect and enhance tranquillity to which your Licensing Policy refers. This site is in SDNP so stricter conditions on noise should be imposed compared with licences granted before April 2016. However, this application does not comply with your current Licensing Policy because it has the same terminal times as pre-2016 licences, proposed condition PN10 is the same as the equivalent condition in pre-2016 licences, and PN11 contains noise levels which are higher than the equivalent condition in pre-2016 licences (so the base noise nuisance would be even worse).
2. There would be one extra night of amplified live and recorded music.
3. There would be much higher traffic numbers leading to even worse congestion on the roads.
4. The application should be refused on the grounds of its failure to comply with the Licensing Objective "The Prevention of Public Nuisance".



## **Matthew Tucker**

---

**From:** Ernie Jeffs [REDACTED]  
**Sent:** 10 January 2018 19:11  
**To:** Matthew Tucker  
**Subject:** Re: BoomTown Festival UK Limited (New Premises Licence Application) - Matterley Bowl, Alresford Road, Winchester, Hampshire

Dear Matt,

My address is:

Badgers Bighton Lane  
Gundleton  
Alresford  
Hants  
SO24 9SW

Regards  
Ernie

WCC Councillor for Alresford & Itchen Valley

Sent from my iPhone

On 10 Jan 2018, at 16:42, <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> wrote:

Dear Cllr Jeffs – I have been asked to confirm your address in order to make your objection compliant with the Licensing Act 2003.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

---

**From:** Ernie Jeffs [REDACTED]

**Sent:** 06 December 2017 10:51

**To:** Licensing

**Cc:** \_Members - All; Itchen Valley Parish Clerk; Itchen Stoke and Ovington Parish Council; New Alresford Town Council

**Subject:** Re: BoomTown Festival UK Limited (New Premises Licence Application) - Matterley Bowl, Alresford Road, Winchester, Hampshire

Dear Matt,

I do indeed have further comments to make as follows.

I agree entirely with Cllr Griffiths, your email highlights two licensing points at issue: Public Safety and The prevention of public nuisance.

Before we allow this, the Council must develop a strategy for the growth or otherwise for this event.

We should not consider an increase in numbers unless there have been say three years without serious incident and shown to be under firm control.

Cllr Ernie Jeffs  
Winchester City Council  
Councillor for Alresford & Itchen Valley  
+44 7887 536966  
Sent from my iPhone

On 6 Dec 2017, at 09:34, <[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)> <[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)> wrote:

Dear Councillor Jeffs -- thanks for your e-mail.

Although I appreciate your point, the question of whether the surrounding environmental infrastructure can support such an event is technically not something which we would recognise under the Licensing Act 2003 as a valid objection. We can only consider objections about the proposed licensable activities on the four licensing objectives, as follows:

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

Therefore, unless you have any further comments to make, we would not be able to accept your comments below as a valid licensing objection.

Also, if (and I stress if) the applicant is seeking more than the 79,999 for 2019, as stated in the application, that would be a matter for a separate licensing application for the authority to consider than this one.

Regards

Matt Tucker

Interim Licensing Manager

Environmental Health & Licensing Department

Winchester City Council

City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)

F. 01962 840586

M. 07980 732143

E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

From: Ernie Jeffs [REDACTED]

Sent: 05 December 2017 21:31

To: Licensing

Cc: \_Members - All; Itchen Valley Parish Clerk; Itchen Stoke and Ovington Parish Council; New Alresford Town Council

Subject: Re: BoomTown Festival UK Limited (New Premises Licence Application)- Matterley Bowl, Alresford Road, Winchester, Hampshire

Dear Matt,

While I support the event with the numbers at 59,999 I cannot support a 25% + increase next year. The infrastructure in the surrounding environment is too fragile to cope should there be another untoward event, as demonstrated during 2016. If we allow 75,000 for 2018 will they be asking for 100,000 in 2019?

As a ward councillor I have to think about the well-being of the residents in the area.

Cllr Ernie Jeffs

Winchester City Council

Councillor for Alresford & Itchen Valley

Member New Alresford Town Council  
[REDACTED]

Sent from my iPhone

On 5 Dec 2017, at 16:15, <[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)>  
<[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)> wrote:

Dear Members and Parish Councils –

Please find attached details of a new Premises Licence application (including conditions suggested by the applicant and a plan of the proposed licensable area) for the above mentioned site.

Please send any comments to [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk) by 1<sup>st</sup> January 2018.

Regards

**Matt Tucker**

Interim Licensing Manager

Environmental Health & Licensing Department

Winchester City Council

City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)

F. 01962 840586

M. 07980 732143

E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

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**Matthew Tucker**

---

**From:** Steve Ankers [REDACTED]  
**Sent:** 17 December 2017 08:59  
**To:** Licensing  
**Cc:** Planning; Alison Jones  
**Subject:** Re: Please note the attached comments of the South Downs Society  
**Attachments:** BoomTown new Licence copy (1).docx

Mr Tucker

Pl see, attached, this Society's **additional** objections to the proposed licence.

Steve Ankers, Policy Officer

On Sat, Dec 16, 2017 at 10:46 AM, Steve Ankers [REDACTED] wrote:

Mr Tucker

Thank you for this. We were aware of the "licensing objectives" when we submitted our comments.

You appear to be suggesting that Winchester may be prepared to grant a new or revised licence for Boomtown irrespective of whether or not the licensed activities enjoy planning permission? Are there no arrangements in place to avoid such discrepancies? Are not the operatives and other stakeholders entitled to a co-ordinated response from the statutory authorities?

Steve Ankers, Policy Officer

**From:** [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk) <[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)>  
**Sent:** Friday, December 15, 2017 5:48:32 PM  
**To:** [REDACTED]  
**Subject:** RE: Please note the attached comments of the South Downs Society

Dear Alison – thanks for your e-mail.

Whilst I note the comments regarding planning and licensing, any objection you might wish to make has to relate to the licensing application and the licensing objectives.

If you wish to submit an objection, you will need to do so by 1<sup>st</sup> January 2018.

Regards

Matt Tucker

Interim Licensing Manager

Environmental Health & Licensing Department

Winchester City Council

City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)

F. 01962 840586

M. 07980 732143

E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

**From:** Allison Jones [mailto: [REDACTED]]  
**Sent:** 13 December 2017 12:42  
**To:** Licensing  
**Subject:** Please note the attached comments of the South Downs Society

--

Alison Jones

Office Manager  
[REDACTED]

Please note that my office hours are 8.00-1.30 Monday, Tuesday, Wednesday.

The South Downs Society  
[REDACTED]

web: [www.southdownssociety.org.uk](http://www.southdownssociety.org.uk)

Twitter: [@southdownssoc](https://twitter.com/southdownssoc)

Facebook: [www.facebook.com/southdownssociety](https://www.facebook.com/southdownssociety)

Registered Office: 2 Swan Court, Station Road, Pulborough, RH20 1RL  
The Society is a company limited by guarantee, registered no 319437 and is a registered charity no 230329

*The South Downs Society is an independent charity which relies on member subscriptions and gifts in wills*



Click on the image or [HERE](#) to sign up.

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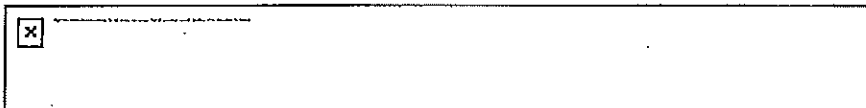
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---

The South Downs Society  
01798 875073  
web: [www.southdownssociety.org.uk](http://www.southdownssociety.org.uk)  
Twitter: [@southdownssoc](https://twitter.com/southdownssoc)  
Facebook: [www.facebook.com/southdownssociety](https://www.facebook.com/southdownssociety)

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--  
Steve Ankers  
Policy Officer

--  
Steve Ankers  
Policy Officer

The South Downs Society

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**Your Ref:** Application from BoomTown Festival UK Limited for a new Premises Licence

**Location:** Matterley Bowl, Alresford Road, Winchester, Hampshire

**Proposal:** To authorise the relevant licensable activities for a maximum of 75,000 persons, plus an additional 1000 Sunday tickets for local residents for the 2018 event.

To increase to a maximum of 79,999 persons from 2019. This includes all persons present at the Premises in whatever capacity including ticket holders, performers, guests and staff.

Provision of regulated entertainment (plays and films) from Monday (00:00 to 04:00 hours); Wednesday to Friday (10:00 to 00:00 hours) and Saturday and Sunday (00:00 to 00:00 hours).

Provision of regulated entertainment (live music) from Wednesday to Friday (10:00 to 00:00 hours), Saturday and Sunday (00 to 04:00 and 10:00 to 00:00 hours).

Provision of regulated entertainment (recorded music and performances of dance) from Monday (00:00 to 04:00 hours), Wednesday to Friday (10:00 to 00:00) and Saturday and Sunday (00:00 to 04:00 hours and 10:00 to 00:00 hours).

Supply of alcohol from Monday to Sunday (00:00 to 00:00 hours).

Provision of late night refreshment from Monday (00:00 to 05:00 hours), Wednesday (23:00 to 00:00 hours) and Thursday to Sunday (00:00 to 05:00 hours and 23:00 to 00:00 hours).

These are the comments of the South Downs Society, the national park society for the South Downs National Park.

We have already written, expressing our concerns about the apparent mismatch between the current planning permission for the site and the proposed licence. We submit the following additional objections.

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

With the proposed 33% increase in attendance by 2019 there will be an inordinate amount of traffic generated. Even the best of traffic planning will not cope well with this. In 2017 there were trails of cars through the countryside such as along the Morestead Road and through the village of Owslebury. Some parking of vehicles took place on private access roads in Chilcomb. This is a public nuisance.

The extension of the festival to a 6 day event will only exacerbate the already existing problems of traffic and noise generated.

The offering of 1000 local tickets on the Sunday of the festival is likely to cause traffic chaos on one of the busiest travel days. The M3, A272 and A31 often see traffic jams as weekenders to the West Country and South Coast try to drive back to London. Matterley Bowl is not within walking distance for most families. Sunday

would be the day that younger members of the community may attend, for KidZone for example, and the extant traffic situation would not be conducive to free flow traffic along the major roads nor the country lanes.

#### **Prevention of Danger to Children**

In the light of the above, to encourage local family attendance on Sunday may create an environment of risk for young people. 24 hour alcohol licences will have been in full swing for at least four days. The harmful images and experiences of drunkenness and people less in control of their communication skills to children and young people would be unavoidable.

The Society hopes that these **Objections** will be taken into account when this new Premises Licence Application is considered.

**Matthew Tucker**

---

**From:** Mike Carrington [REDACTED]  
**Sent:** 17 December 2017 12:33  
**To:** Licensing  
**Subject:** Boomtown Application

Noise levels and dB

By quoting dB on the application, It does not appear to be very much of an increase.....

However, 5dB is almost four times the existing level and the last comments about yet another extra 3dB for the bass makes that total to about eight times the old level.

I can hear the boomtown music pollution from 6 miles away, please no more.....

Please advise that you have received this email and you understand the implications of any decisions.

Mike Carrington  
16 The Brook,  
Old Alresford SO24 9DQ

Sent from mikes iPad

**Matthew Tucker**

---

**From:** John Wedderburn-Maxwell [REDACTED]  
**Sent:** 19 December 2017 09:28  
**To:** Licensing  
**Cc:** John Wedderburn-Maxwell  
**Subject:** Boomtown Festival

Dear Sir

I object to the proposals for the extension of the Boomtown Festival on the following grounds:

- • Προβληξ ασφατεψ

Past experience resulted in a neighbour being unable to access Winchester Hospital due to traffic congestion around the festival area - increased numbers/transport will clearly exacerbate this problem and seriously impact on all emergency services at a cost to public safety - I trust all services will be fully consulted.

- **The prevention of public nuisance**

To disrupt traffic over a wide area surrounding boomtown seriously impacts both local residents and those needing to travel in the area for work purposes.

It has also been found to cause delays on major arterial routes such as the M3, A34 and A31 as well as many minor roads - to further increase this 'nuisance' to the general public should not be permitted.

Lengthy and timely diversions are not acceptable in an environmentally sensitive world.

Proposed greatly increase of volume will affect a large area affecting wildlife and livestock including over a wide area of the South Downs National Park - I trust that SDNPA authority will also be fully consulted.

J.A.Wedderburn-Maxwell

Brewers Farm

West Tisted

Alresford

SO24 0HQ

• •

**Matthew Tucker**

---

**From:** michaeljbeer [REDACTED]  
**Sent:** 19 December 2017 11:49  
**To:** David Ingram; Licensing  
**Subject:** BOOMTOWN APPLICATION FOR A NEW LICENSE

Dear Mr Ingram,

The Licensing Department at Winchester City Council is requested to formally refuse the above application for the following reasons:

1. It does not comply with the Council's own Revised Licensing Policy which requires for sites within the South Downs National Park "Stricter conditions with regard to noise control" to protect and enhance tranquillity.
2. It does not accord with the current Home Office Guidance paragraph 9.38
3. It is inconsistent with the Council's legal responsibility to prevent public nuisance which is one of the four licensing objectives.
4. It would cause even more public nuisance from music noise and traffic congestion than the current licence.

Please acknowledge receipt of this request for refusal without delay.

Michael j Beer  
1 Hockley Cottages  
Cheriton  
Alresford  
SO24 0NU

Sent from Samsung tablet.

**Matthew Tucker**

---

**From:** Jan Field [REDACTED]  
**Sent:** 11 January 2018 10:03  
**To:** Matthew Tucker  
**Subject:** Re: Objection to latest application to increase Boomtown 2017

The Alresford Society has no separate address but, as Chairman, I use my home address: 3 Arlebury Park Mews, Alresford, SO24 9ER.

Regards.

Jan field

Chairman, The Alresford Society

On 1/10/2018 4:43 PM, [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk) wrote:

> Dear Ms Field - I have been asked to confirm the address of your organisation to ensure that your objections is compliant with the Licensing Act 2003.

>

> Regards

>

>

> Matt Tucker

> Interim Licensing Manager

> Environmental Health & Licensing Department Winchester City Council

> City Offices, Colebrook Street, Winchester, SO23 9LJ

>

> T. 01962 848188 (Ext. 2188)

> F. 01962 840586

> M. 07980 732143

> E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

>

>

> -----Original Message-----

> From: Jan Field [REDACTED]

> Sent: 19 December 2017 16:50

> To: Licensing

> Subject: Objection to latest application to increase Boomtown 2017

>

> Please find attached objection to this application on behalf of The Alresford Society, whose members live in and around the town and many use the A31 for business, vital to Hampshire's economy.

>

> Jan Field

>

> Chairman, The Alresford Society

>

>

>

> This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be

disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

>

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**Concerns re Boomtown – even greater expansion proposed**

- 1.1 The application proposes an increase to 79,999, a huge increase of a third from 59,999. It is irrelevant whether these people are staff or visitors/attendees as offered in mitigation by the applicants; all will result in significant additional traffic movements and increased public nuisance. The Licensing Authority has previously refused smaller increases because of the highly undesirable impact both on people living and working in surrounding areas.
- 1.2 The impact (noise – especially but not only amplified music at night – from traffic congestion, delays to people trying to pursue their ordinary business and consequent loss of productivity) is also very significantly increased by the proposal for an additional day (Wednesday).
- 1.3 Local communities are further impacted by expansion of the site area which is closer to villages such as Beauworth, Cheriton, Kilmeston and Tichborne.
- 1.4 The Licensing Authority is required “In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to national guidance and its own licensing policy’.
- 1.5 It is understood that the Noise Management Plan has not been published for consultation.
- 1.6 Nor has any plan relating to management of traffic movements.

We request that the application be refused to avoid this major public nuisance from expanding even further.

Jan Field  
Chairman  
The Alresford Society  
December 19<sup>th</sup> 2017



## Matthew Tucker

---

**From:** Paula Bartlett [REDACTED]  
**Sent:** 20 December 2017 07:41  
**To:** Licensing  
**Subject:** Boomtown Licence application - objection

To: Licensing Department

I am writing to object to the recent application made by the organisers of the Boomtown festival to vary their licence - including to again increase the number of attendees and to further extend the duration of the event.

I have the following objections:

1. Since April 2016 to comply with your Revised Licensing Policy, you should have been imposing stricter conditions with regard to noise control on sites which are within the South Downs National Park which seeks to protect and enhance tranquillity. This site is in SDNP so stricter conditions on noise control should be imposed compared with licences granted before April 2016. However, this application does not comply with your current Licensing Policy because it has the same terminal times as pre-2016 licences, proposed condition PN10 is the same as the equivalent condition in pre-2016 licences, and PN11 contains noise levels which are higher than the equivalent condition in pre-2016 licences (so the low frequency noise nuisance would be even worse than in the past).
2. There would be one extra night of amplified live and recorded music causing noise nuisance to local communities.
3. There would be much higher traffic numbers leading to even worse congestion on the roads causing nuisance to road users.
4. The application should be refused on the grounds of its failure to comply with the Licensing Objective "The Prevention of Public Nuisance".

Many thanks

Paula Bartlett

Little Itchen  
Cheriton  
Alresford  
SO24 0PY



**Matthew Tucker**

---

**From:** Charlotte Lees [REDACTED]  
**Sent:** 20 December 2017 11:13  
**To:** Licensing  
**Cc:** Kim Gottlieb  
**Subject:** Boomtown - application for extended licence

Dear Sir / Madam,

We write to make representations in relation to the application made by the Boomtown festival organisers for an extension of their licence to increase numbers of attendees, decibel output and number of days for the festival. We have only just been made aware of this application and understand that the deadline for representations is 21st December. Please excuse the less than polished nature of this email as I am writing from abroad on a mobile phone.

We are a family with small children living in the middle of Easton village just across the fields from the festival site. The impact that the festival has upon us is enormous, both in the days leading up to its commencement, during the festival and afterwards.

**We feel very strongly that this application should be refused.**

**1. Increased Traffic and Congestion**

The local infrastructure simply cannot cope with the current amount of festival traffic, and an increase in the numbers of vehicles is unimaginable. Our village has been gridlocked by festival traffic with all routes in and out of the village impassable due to backed up queuing traffic waiting to enter the site on the days commencing Boomtown.

Our driveway becomes blocked and the narrow lane means that village residents cannot pass the queues to get to and from our homes.

**We have felt like prisoners in our own home - not being able to leave because our routes in and out of the village have been blocked by Campervans, caravans and cars all queueing through Easton to get to the festival.**

**Increased numbers of festival-goers and an extra day of festival will intensify these problems and prolong the agony for residents.**

**2. Antisocial Behaviour**

During the start of the festival when traffic congestion is at its height through the village, we have experienced a number of festival goers jumping out of their vehicles and entering our private driveway and urinating in our front garden and driveway and against our garden wall, against my neighbour's parked cars and neighbour's walls. My children have witnessed this first hand. You can imagine our anger and upset at this. With an increase in the number of attendees and vehicles accessing the site these incidents will increase as people need the toilet while waiting in queuing traffic.

**3. Crime**

Last year we had festival goers trespassing into our garden, urinating and then clearly having a passing "look around" to see what was in our outbuildings. I witnessed some pushing on doors and 'trying' the locks of our garage and outbuildings. We had wellies stolen from our backdoor as people brazenly walked right up to the house and helped themselves to traditional festival equipment.

In the last two years we have had a break-in (2016) and then an attempted break-in (2017) into our garage, causing hundreds of pounds of damage to the door and locking system. This occurred on almost exactly the same date on both years - just before the start of the festival. A large number of our neighbours also experienced the same at their properties and outbuildings. We were told by Police that transient workers who had been hired to prepare the festival ground were suspected.

### 3. Noise

Approximately 4 years ago, when the wind direction was blowing towards the village, the noise from the festival was so loud that it kept the entire family awake until the early hours. We actually thought that it must be coming from a party in the neighbour's garden, as it seemed so loud and close. The thought of the permitted noise levels increasing is a worry when you consider that this is a residential area with families and small children like ours.


In an ideal world, we would love to just escape for the entirety of the Boomtown festival and abandon our house until it has all finished as living with it is so unpleasant. However, due to the worries about security we have had to take the decision that we should remain at home during the festival days, live through the agony and not plan to go away on holiday simply because we fear for the security of our home if we were to leave it unattended. The thought of it all being prolonged for an extra day is awful.

I would be grateful if you could please pass these representations to the deciding committee.

Yours sincerely,

Charlotte Gloyn

Grasmere  
Easton  
Winchester  
SO21 1EG

  
Sent from my iPhone

## Matthew Tucker

---

**From:** [REDACTED]  
**Sent:** 20 December 2017 17:56  
**To:** Licensing  
**Subject:** Boomtown Festival UK limited  
**Importance:** High

Dear Sirs

We understand that Boomtown Festival UK Limited (Boomtown) are applying for a new licence which proposes a number of changes to the existing terms. We would like to record our OBJECTION to these changes on the grounds that they would cause substantially increased public nuisance.

Turning to each proposal in turn:

### Capacity Increase

We understand that the application proposes an increase from the current capacity of 59,999 to 75,999 in 2018 and 79,999 in 2019. We already suffer gridlock on all our roads for the duration of the festival, and particularly on the dates of arrival or departure, which Boomtown's various Traffic Management Plans have consistently failed to avoid. For many of us living within the close vicinity of the site this has rendered it all but impossible to move around in the immediate vicinity of our homes and it has been easier to accept that we should just stay indoors. This level of intrusion is already unacceptable and can only get worse if the numbers are increased by 27% and then 33%. While Boomtown has tried very hard to improve our lot they have consistently failed and we can see no justification for substantially increasing a challenge which has already proved to be unmanageable.

### Opening the event a day earlier

For all the reasons set out above we are very concerned that opening a day earlier will do no more than extend our pain by another day.

### Noise levels

While we accept that the noise intrusion to date has been lower than we feared (although that has almost certainly been assisted by favourable wind direction in some years) we cannot see that this should be a justification for pushing the levels higher. We believe the existing levels to be tolerable and do not want to have our peace ruined by a desire to push the boundaries to their absolute limit.

### Extending the perimeter

Intuitively a longer perimeter is going to be much more difficult to police, both from the point of view of controlling unpaid access, and also for controlling illegal substances being passed over or through the fence. No number of security guards can police this effectively and we see no justification for making the site even bigger.

Yours faithfully

Alan and Lorraine Morgan

Chilcomb Manor  
Chilcomb  
SO21 1HR

## Matthew Tucker

---

**From:** Neil McIntosh [REDACTED]  
**Sent:** 21 December 2017 11:26  
**To:** Licensing  
**Cc:** Kim Gottlieb  
**Subject:** Boomtown - new premises license objection from Mr & Mrs McIntosh

Dear sir,

We would like to object to the proposed new premises license requested by Boomtown Festival UK Limited. Our objection is on three grounds:

1. Objection regarding prevention of public nuisance. Specifically the request to increase both the time frame and sound decibel level during the festival  
This is a significant increase in sound above the already disruptive noise emitted during the festival period. We reside in Little Hayes Itchen Abbas and the current noise level already hinders sleeping patterns. We are concerned that the higher sound requested will prevent our children from sleeping during this period.
2. Objection 1st public safety issue. Specifically the request to increase the festival attendance to 75,000 in 2018 and to 79,999 in 2019. The access roads and surrounding areas are already (at lower attendance levels) causing serious road accident risk. The increase in number of people and corresponding vehicles in the area will create a public safety risk to local residents, our children who regularly cycle in the area and festival attendees.
3. Objection 2nd public safety issue. Boomtown has already witnessed extremely upsetting fatalities from misuse of legal/illegal substances at the festival. Increasing the festival attendance to 75,000 and then 79,999 will only increase this public safety risk.

We strongly object to the premise license proposals by Boomtown Festival UK Limited and would ask that Winchester City Council reject this proposal.

Regards

Neil and Sue McIntosh  
21 Little Hayes Lane  
Itchen Abbas  
Winchester SO21 1XA

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**Matthew Tucker**

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**From:** Parish Clerk [REDACTED]  
**Sent:** 11 January 2018 10:26  
**To:** Matthew Tucker  
**Subject:** Re: BOOMTOWN's LICENCE APPLICATION: CHERITON PARISH COUNCIL's REPRESENTATION - URGENT

Dear Mr Tucker,  
it should be on WCC website, but it is: .  
Cheriton Parish Council,  
Parish Clerk,  
77 Chalton Lane,  
Clanfield,  
Hants  
PO80PR

Thanks  
Mrs Heppell

On 10 January 2018 at 16:43, <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> wrote:

Dear Ms Heppell – I have been asked to confirm the address of your organisation in order to make your objection valid under the Licensing Act 2003.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

**From:** Parish Clerk [REDACTED]  
**Sent:** 21 December 2017 12:44  
**To:** Licensing  
**Cc:** David Pain; Andy Collett; Laurence; Freda Hurst  
**Subject:** Fwd: BOOMTOWN's LICENCE APPLICATION: CHERITON PARISH COUNCIL's REPRESENTATION - URGENT



**Subject: Re: BOOMTOWN's LICENCE APPLICATION: CHERITON PARISH COUNCIL's REPRESENTATION**

**TO WINCHESTER CITY COUNCIL**

Please see the attached comments from Cheriton Parish Council on the above Licence application at Boomtown.

Regards

Mrs D Heppell

Clerk to Cheriton Parish Council



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## **1. Noteworthy Facts.**

- 1.1 The application includes significant increases to the maximum number of persons allowed on the site (from 59,999 to 79,999) which would result in many more vehicle movements but there is no information provided with the application regarding these additional vehicle movements. However, in April 2016 the Licensing Authority refused an application by the same applicant, Boomtown Festivals UK Ltd., for a much smaller increase in PREM655 (from 49,999 to 54,998 – an increase of 4,999 persons) because of the estimated 865 additional vehicle movements. The Licensing Authority stated that these could have an adverse impact on the local highway network which could present a public nuisance, in particular as a result of congestion caused near the site by vehicles egressing the event, to those living and working in the locality.
- 1.2 The proposed licensed area would be larger than in the current licence, PREM709, and the enlarged area, presumably to accommodate extra people and additional sound sources, would be east of the existing site and closer to local communities such as Beauworth, Cheriton, Kilmeston and Tichborne.
- 1.3 The application includes one extra day (Wednesday) which would cause traffic congestion on an additional day for each event and cause noise nuisance for local communities resulting from regulated entertainment (live and/or recorded music) on five instead of four nights.
- 1.4 Winchester City Council, the Licensing Authority, adopted a Revised Licensing Policy on 13<sup>th</sup> April 2016 and one significant revision in Section C: The Prevention of Public Nuisance on Page 25 was to enhance clause C4 by stating that “stricter conditions with regard to noise control would be expected for sites within the South Downs National Park which seeks to protect and enhance tranquillity”. On that date the Boomtown premises licence in use was PREM655 (granted in February 2014). There are no stricter conditions with regard to noise control in this application compared with PREM655. In fact, as regards low frequency noise the proposed condition PN11 in this application has higher noise levels than those in PREM655 and, of course, there would be one extra night of regulated entertainment on Wednesday. Therefore, the application does not comply with the Revised Licensing Policy which the Council is required to take into account by the Government as per the Revised Guidance issued under section 182 of the Licensing Act 2003 by the Home Office in April 2017 which includes paragraph 9.38: “In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
  - \*the steps that are appropriate to promote the licensing objectives;
  - \*the representations (including supporting information) presented by all the parties;
  - \*this Guidance;
  - \*its own statement of licensing policy.”

## **2. Basis of Objection to the Application.**

- 2.1 The Council has a legal responsibility to consider the application in the context of promoting the four licensing objectives one of which is The Prevention of Public Nuisance. This application would cause additional public nuisance in several respects:

2.1.1 Firstly, there would be one additional night of nuisance caused by amplified music on the Wednesday of each event.

2.1.2 Secondly, the low frequency noise levels would be higher than at present (compare proposed condition PN11 with condition PN12 in PREM709 and PN8 in PREM655).

2.1.3 Thirdly, there are likely to be sound sources (stages) in the enlarged area closer to local communities and the recent Motocross of Nations event which had only one stage proved that noise nuisance was caused to local communities despite assurances from the Environmental Health Manager that none would be caused.

2.1.4 Fourthly, the nuisance caused by traffic congestion on the local highway network would occur on one additional day (Wednesday). Also, on the Monday, when all attendees would leave the site on the same day, it would be even worse than at present and would cause severe inconvenience (public nuisance) to many thousands of road users.

2.2 The application makes reference to a Noise Management Plan (NMP) but this has not been produced as part of the application's supporting documents and public consultation on it has been prevented. The application includes a proposed condition PN6 which includes this statement: "The NMP must include all of the arrangements for preventing public nuisance and consultation with the local community...." The NMP will not prevent public nuisance but it is vital that the document is made available prior to the closing date for representations so that members and representatives of local communities can make a judgement on whether or not the document is satisfactory. The Winchester City Council's Environmental Health Manager has been asked by a local resident to state the legal basis on which NMPs are dealt with but she has not yet replied.

2.3 The Council adopted a Revised Licensing Policy on 13<sup>th</sup> April 2016 and this application does not comply with the requirement for stricter conditions with regard to noise control on this site which is within the South Downs National Park. The terminal times would be the same as in PREM655 (0400 hours on two nights and midnight on other nights), there would be louder low frequency noise and one extra night of amplified music. In fact, the conditions with regard to noise control would be less strict which is contrary to the Revised Licensing Policy.

2.4 Cheriton Parish Council has public safety concerns relating to the provision of ambulance facilities by both road and air during the course of Boomtown events. These concerns are founded on a "near-miss" situation on the Monday of the 2016 event when an ambulance had great difficulty reaching a Cheriton resident who had been taken very seriously ill owing to the severe congestion on the local highway network. It is understood that the Hampshire and Isle of Wight Air Ambulance is committed to the event and would be unable to be called upon in other parts of the County. Coupled with the serious traffic congestion to which reference was made above, the "golden hour" for medical treatment for the general public would be in jeopardy thus causing a risk to public safety, which is one of the four licensing objectives.

### **3. The Application should be refused.**

3.1 The Council is requested to refuse the application for the foregoing reasons which can be summarised as follows:

- 3.1.1. It does not comply with the Council's own Revised Licensing Policy which requires for sites within the South Downs National Park stricter conditions with regard to noise control to protect and enhance tranquillity.
- 3.1.2. It is inconsistent with the Council's legal responsibility to prevent public nuisance which is one of the four licensing objectives.
- 3.1.3. It would cause even more public nuisance from louder music noise and greater traffic congestion than the current licence.
- 3.1.4. The Noise Management Plan has not been made available for public consultation.
- 3.1.5. There is no supporting information provided relating to the additional vehicle movements which would result from the increased attendance numbers which are being sought.
- 3.1.6 The Licensing Authority refused an application in April 2016 for a much smaller increase of 4,999 in the attendance limit (from 49,999 to 54,998) because of the adverse impact on the local highway network that could be caused by 865 additional vehicle movements. This application is for an additional 30,000 attendees compared with the maximum applicable in April 2016 which was 49,999.
- 3.1.7 The public safety concerns of Cheriton Parish Council (see paragraph 2.4).

**Matthew Tucker**

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**From:** Chris Burton [REDACTED]  
**Sent:** 21 December 2017 14:07  
**To:** Licensing  
**Cc:** Barbara Burton  
**Subject:** BoomTown Festival UK new licence

We object to the increase of all aspects of application, viz:-

Increase in number of persons on the site  
Increase in provision of regulated entertainment  
Supply of alcohol  
Provision of late night refreshment.

We live in Ropley which is some distance away, but can still hear sound/noise coming from the site, we are affected by the increase in traffic on the A31 on the opening and closing days of the Festival. To increase the time, size and noise of the Festival will affect us all.

We cannot understand what value this brings to the local community directly or indirectly, we see the offer of free tickets as a sweetener, and as such callous.

The organisers would of course make a larger income with more people etc.

We think their ambition must be to get this accepted as a larger and larger event until it is accepted as mega festival. It's in the wrong place to become bigger, there are just too many local residents adversely affected by this already and an increase will cause more sound/noise pollution.

CA Burton  
Sparrow Thatch  
Church Street, Ropley  
Hampshire SO24 0DR

Best Regards  
Chris Burton

**Matthew Tucker**

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**From:** Keith Sloan [REDACTED]  
**Sent:** 21 December 2017 16:16  
**To:** Licensing  
**Subject:** Boomtown License

My understanding is that Boomtown wish to increase the sound level that they are allowed to make compared previous years. This is totally unacceptable and will be even more of a public nuisance than in the past.

Keith Sloan  
Woodland Halt  
Old Station Rd  
Itchen Abbas  
SO21 1BA

## Matthew Tucker

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**From:** Alexandra Bates [REDACTED]  
**Sent:** 21 December 2017 18:33  
**To:** Licensing  
**Cc:** mtucker@winchestergov.uk  
**Subject:** Boomtown Licence Application 2018

Dear Sirs

I strongly object to the licence application made in respect of the above to increase the numbers from 59999 to 79999 and extend the days from 4 to 6 for the following reasons.

### 1. The prevention of public nuisance – The site is in the South Downs National Park

- a) **Light Pollution** – due to the fact that the event has now expanded the site is now no longer situated in the bowl but in all of the surrounding areas which are some of the highest in Hampshire. The strobe lighting can be seen from the coast. The flood lights that surround the perimeter of the event are on 24 hours a day with the musical events going on until at least 4am. This will have huge environmental impacts on the wildlife let alone the atmospheric damage to the surrounding area.
- b) **Noise Pollution** – as per the above point – the noise emanating from the event can be heard over 10-12 miles away at least (depending upon wind direction) which is unacceptable to people who have to endure the earth vibrating noise for at least 4 days and during the summer when windows are open. 6 days would cause too much disruption and environmental impacts as to simply make this event unacceptable for people miles around. Again there are significant damaging effects to the wildlife and it is in prime breeding and feeding season for their young. There is no noise management plan attached to the application which surely the applicants must provide in order for the application to be considered.
- c) **Surveys** – Environmental Impacts Assessments and Environmental Audits should be carried out to mitigate damage caused to the area due to the event.

### 2. Public safety

- a) **Roads and Infrastructure** – access to the site is signposted to go through narrow country lanes causing chaos. It is harvest time at that time of the year which represents people's livelihoods and so there are already large vehicles on the roads. The link road between the Morestead Road and A272 is supposed to be used by lorries and large vehicles which are simply too large for the roads causing damage to the roads which our local residents have to then use on a daily basis damaging our vehicles in the process. The roads cannot deal with the previous numbers let alone an increase. The site is not in an accessible position for people using local public transport as there isn't any – this event should be on a site where there is sufficient transport and infrastructure to cope with the influx in numbers such as a football stadium and in a town and not a rural position that has more environmental impacts when such an event takes place. It is now too big for the location as it is – let alone an increase.
- b) The set up and take down period for the event in 2017 was over 8 weeks as I monitored it this year – in the planning application it states that the total time is 3 weeks which is clearly not the case. Therefore it is not only the 4 or 6 days of the event which effects the environment and wildlife but the 8 weeks plus with heavy traffic on the agricultural land. Glastonbury doesn't need that time for set up nor is it on for that many days even though it is for more people.
- c) The site is situated in a National Park which is an area of outstanding natural beauty. The use of this site for such a site is therefore an unacceptable one when looking at the uses allowed in the SDNP. I understand although I have not verified this but the numbers are always exceeded every year. Tickets are already on sale for 2018 and in the past have been so before planning has been granted.
- d) **Closure of the South Downs Way (SDW)** – the footpaths around this area which include the SDW are closed for at least 10 days including the car park and there are no alternative routes provided meaning that the public have to walk on the main roads. The SDW is a popular route and people on walking holidays and

wildlife tours and should not be closed unless there are dangers for the use of eth public rights of way. This is not the case here.

- e) **Public Transport** – as there is no public transport festival goers walk on eth main A272 or A31 which is a dual carriageway. There has already been at least one fatality in recent years because of this.

### 3. The protection of children from harm and 4. The prevention of crime and disorder

- a) **Drugs** – although there was a drug amnesty this year as well as a tent for testing etc. due to the openness of the site and access via footpaths people plant their drugs and use GPS to find them once inside the event which clearly cannot be monitored. There have been a number of deaths at the event although 2017 was the first one where there wasn't – surely such an event should not be advocated and increasing the number will only exacerbate the problem. When the event is on there is an increase on local crime and this year I found people on my property looking for somewhere to park their camper van supposedly which to me is unacceptable and means that I cannot go away to avoid the noise and disruption for fear of being burgled. The organisers or land owners make no attempt to engage with people who live in say a 2-3 mile radius to find out the effects of their money making event has on the local community.
- b) **Timing of the application** – this has clearly been made at a time when people are least likely to make any representations and so I trust that the council give the application sufficient time to get peoples' feedback. As the application is incomplete this application should only be considered when you are in possession of all the facts. Tickets sales should also be suspended until the appropriate planning application has been received and if is it. The applicants have also demonstrated their lack of consideration to due process.

The above points actually cover all the four main points of objection under the licence provisions.

Yours faithfully

Alexandra Lofts Msc MRICS FAAV PIEMA  
[REDACTED]

Chartered Surveyor and Environmental Manager

*Greendowns Farmhouse, Beauworth, Alresford, Hampshire SO24 0PB*

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- 
- 

Alexandra Lofts Msc MRICS FAAV AIEMA  
[REDACTED]

Chartered Surveyor and Environmental Manager

*Greendowns Farmhouse, Beauworth, Alresford, Hampshire SO24 0PB*



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## **Matthew Tucker**

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**From:** Lynn Fomison [REDACTED]  
**Sent:** 22 December 2017 06:41  
**To:** Licensing  
**Subject:** Re: Boomtown application

The Ropley community has been informed of an error in the previous communication re noise levels proposed at Boomtown.

It has now been clarified that the increase sound levels only relate to to certain levels. However my objection still stands as it is likely these increased levels will be audible where I live at the edge of Ropley and cause me discomfort.

Also in addition to my previous letter of objection I object to the increase in capacity as it will add to the traffic and thus cause even more delays on the A31.

Closure of one lane means much more traffic uses the route through Itchen Abbas and the presence of frustrated drivers has the potential to make this road unsafe.

Yours faithfully  
Lynn Fomison  
Mount Pleasant  
Parkstone Road  
Ropley  
So24 OEW

Sent from my iPad

On 21 Dec 2017, at 10:36, <[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)> <[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)> wrote:

Dear Ms Fomison – thanks for your e-mail, objecting to the above application.

Since we have received one or more valid objections, the application will be determined by a Licensing Sub-Committee within twenty working days of the end of the consultation process. We will, of course, keep you informed of the details of the Hearing, should you wish to attend.

Regards

**Matt Tucker**  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

**From:** Lynn Fomison [REDACTED]  
**Sent:** 21 December 2017 07:46

**To:** Licensing  
**Subject:** Boomtown application

Mount Pleasant  
Parkstone Rd  
Ropley  
SO24 0EW

21st December 2017

Boomtown Application

I wish to object to two aspects of this licensing application on the grounds of public nuisance.

First the extension by one day will lead to a further day of lane and traffic restrictions on the A31. The volume of traffic has a severe effect on bus time tables, that along with the use of public transport by festival goers renders our local 64 bus service virtually unusable.

The amount of mud that is carried onto the road makes it dangerous in wet weather.

Regarding increasing the sound level, any increase is **TOTALLY UNACCEPTABLE**. As a tinnitus sufferer the boom boom sound heard at my home is intolerable.

This is a quiet country area and we do not wish to suffer that kind of noise.

Yours faithfully  
Lynn Fomison

Sent from my iPad

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## Matthew Tucker

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**From:** Bill Mitchell [REDACTED]  
**Sent:** 22 December 2017 09:55  
**To:** Licensing  
**Subject:** Re: objections to application from BoomTown Festival UK Limited for a new Premises Licence

Dear Matt

I understand Boom Town Ltd have amended their application as follows:

*Amendments requested:*

- *Between 9pm and 11pm (the period when the primary headline artists perform on the largest/main stages) we will be seeking an additional 5dB for the low frequencies (octave bands 63Hz and 125Hz) to accommodate the headline artists.*
- *Between 11am and 9pm, and 11pm and 4am, we will be seeking an additional 3dB for the low frequencies (octave bands 63Hz and 125Hz).*

Nothing in that amendment affects the objections I raised about noise levels being increased to a point that they will cause a significant public nuisance to a very much larger number of residents than is currently the case. The fact they are asking for a particular frequency range to increase is irrelevant to the fact they are still asking for a massive increase in overall volume, which will cause a public nuisance on a large scale. The fact they are asking for base frequencies to be boosted will have no mitigating effect on the scale of the nuisance.

Bill Mitchell

On 21 December 2017 at 10:38, <[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)> wrote:

Dear Mr Mitchell – thanks for your e-mail, objecting to the above application.

Since we have received one or more valid objections, the application will be determined by a Licensing Sub-Committee within twenty working days of the end of the consultation process. We will, of course, keep you informed of the details of the Hearing, should you wish to attend.

Regards

Matt Tucker

Interim Licensing Manager

Environmental Health & Licensing Department

Winchester City Council

City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)

F. 01962 840586

M. 07980 732143

E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

**From:** Bill Mitchell [REDACTED]  
**Sent:** 21 December 2017 10:23  
**To:** Licensing  
**Subject:** objections to application from BoomTown Festival UK Limited for a new Premises Licence

Dear Winchester City Council

I am writing to register my objection to the application from BoomTown Festival UK Limited, 9 Bank Road, Kingswood, Bristol, BS15 8LS, for a new Premises Licence for Matterley Bowl, Alresford Road, Winchester, Hampshire.

I object on the grounds the new licence will lead to an unacceptable public nuisance to surrounding local residents and an increase in crime and disorder.

The new licence would allow BoomTown Festival UK Limited to triple the level of noise, which would create excessive noise to local residents in a far wider area than at present, including for example Alresford with a population of over 6,000 as well as nearby villages. This will mean the proposed licence will cause a far ranging public nuisance to large numbers of local residents.

The levels of traffic caused by Boom Town also already cause a public nuisance, and a significant rise in the number of places available at Boon Town will cause far greater traffic congestion, which will make the public nuisance caused by traffic levels unacceptable to local residents.

Finally allowing far more places at Boom Town will lead to greater incidents of crime and disorder. Large music festivals attract both ordinary folk wanting to have a great time, but also more people who will engage in antisocial behaviour once they are away from home, leading to greater incidents of crime and disorder.

Yours sincerely

Bill Mitchell

Little Russel House

Vicarage Lane

Ropley

SO24 0DU

---

This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

---

**Matthew Tucker**

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**From:** [REDACTED]  
**Sent:** 22 December 2017 10:23  
**To:** Licensing  
**Subject:** RE: objections to application from BoomTown Festival UK Limited for a new Premises Licence

Dear Matt

I understand Boom Town Ltd have amended their application as follows:

*Amendments requested:*

- *Between 9pm and 11pm (the period when the primary headline artists perform on the largest/main stages) we will be seeking an additional 5dB for the low frequencies (octave bands 63Hz and 125Hz) to accommodate the headline artists.*
- *Between 11am and 9pm, and 11pm and 4am, we will be seeking an additional 3dB for the low frequencies (octave bands 63Hz and 125Hz).*

Nothing in that amendment affects the objections I raised about noise levels being increased to a point that they will cause a significant public nuisance to a very much larger number of residents than is currently the case. The fact they are asking for a particular frequency range to increase is irrelevant to the fact they are still asking for a massive increase in overall volume, which will cause a public nuisance on a large scale. The fact they are asking for base frequencies to be boosted will have no mitigating effect on the scale of the nuisance.

Catherine Mitchell

**From:** [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk) [<mailto:licensing@winchester.gov.uk>]  
**Sent:** 21 December 2017 10:39  
**To:** [REDACTED]  
**Subject:** RE: objections to application from BoomTown Festival UK Limited for a new Premises Licence

Dear Ms Mitchell – thanks for your e-mail, objecting the above application.

Since we have received one or more valid objections, the application will be determined by a Licensing Sub-Committee within twenty working days of the end of the consultation process. We will, of course, keep you informed of the details of the Hearing, should you wish to attend.

Regards

Matt Tucker  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

**From:** [REDACTED]

**Sent:** 21 December 2017 10:31

**To:** Licensing

**Subject:** objections to application from BoomTown Festival UK Limited for a new Premises Licence

Dear Winchester City Council

I am writing to register my objection to the application from BoomTown Festival UK Limited, 9 Bank Road, Kingswood, Bristol, BS15 8LS, for a new Premises Licence for Matterley Bowl, Alresford Road, Winchester, Hampshire.

I object on the grounds the new licence will lead to an unacceptable public nuisance to surrounding local residents and an increase in crime and disorder.

The levels of traffic caused by Boom Town also already cause a public nuisance, and a significant rise in the number of places available at Boon Town will cause far greater traffic congestion, which will make the public nuisance caused by traffic levels unacceptable to local residents.

The new licence would allow BoomTown Festival UK Limited to triple the level of noise, which would create excessive noise to local residents in a far wider area than at present, including for example Alresford with a population of over 6,000 as well as nearby villages. This will mean the proposed licence will cause a far ranging public nuisance to large numbers of local residents.

Finally allowing far more places at Boom Town will lead to greater incidents of crime and disorder. Large music festivals attract both ordinary folk wanting to have a great time, but also more people who will engage in antisocial behaviour once they are away from home, leading to greater incidents of crime and disorder.

Yours faithfully,  
Catherine Mitchell

Little Russel House  
Vicarage Lane  
Ropley  
SO24 0DU

---

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## Matthew Tucker

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**From:** David Templeman [REDACTED]  
**Sent:** 22 December 2017 12:17  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** Re: Boomtown Licence  
**Attachments:** Cheriton PC Objection to Premises Licence December 2017.docx

Dear Matt Tucker,

Hardly an extension at all!

I have had insufficient time to write a full and considered objection. My e-mail was written before the television news article on 21 December and before I was made aware of the attached Cheriton PC Document sent to you by Parish Council Clerk on 21 December and copied on to me on 22 December. So far as I am aware the Parish Council comments have yet to be circulated to residents, employers and others using the area. A number of local residents are away over Christmas and New Year and are unaware of the Boomtown licence request.

I fully endorse everything in the Cheriton PC document. As you can see from my address I live in Hinton Ampner. Notwithstanding any objection Bramdean and Hinton Ampner Parish Council will make please add Bramdean and Hinton Ampner to paragraph 1.2 as it is very significantly affected.

Please let me know what other events are happening in Hampshire, the Solent and the South Downs National Park during the three weeks the event is scheduled (ie include setting up and taking down). Have conflicts been taken into account and if so how?

I drew your attention to Goodwood in paragraph 6 of my e-mail, which is also in the South Downs. Among other documents Goodwood provided a business case. It included a carefully and sympathetically designed factory for Rolls Royce Cars which brings employment and important, wealthy, overseas clients to the Chichester Area. (Young children were considered and as part of the Rolls Royce opening Chichester Youth Theatre performed "Wind in the Willows" on the premises and Toad used a Rolls Royce car). Where is the business case, imagination, innovation, political and social thinking that will permanently benefit the South Downs? I am unaware of Boomtown providing a business case or even considering permanent employment in the area and expect to see one widely circulated, before this application is taken any further..

As I am only too aware from the previous Boomtown events all that will be left is detritus, that will blight our neighbourhood for months to come.

Yours,

David Templeman  
Turnpike Cottage  
Hinton Ampner  
Alresford  
Hampshire  
SO24 0JT

[REDACTED]

On 22 December 2017 at 10:10, <[licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk)> wrote:



Dear Mr Templeman – thanks for your e-mail, objecting to the above application.

Since we have received one or more valid objections, the application will be determined by a Licensing Sub-Committee within twenty working days of the end of the consultation process. We will, of course, keep you informed of the details of the Hearing, should you wish to attend.

Whilst I note your comments about the consultation period ending on 1<sup>st</sup> January 2018, the applicant has agreed to accept additional comments on the application until midnight on 8<sup>th</sup> January 2018.

Regards

Matt Tucker

Interim Licensing Manager

Environmental Health & Licensing Department

Winchester City Council

City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)

F. 01962 840586

M. 07980 732143

E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

**From:** David Templeman

**Sent:** 21 December 2017 21:38

**Subject:** Downtown Licence

Dear All,

I note from the January edition of our local magazine, Church and Village, that I have until 1 January 2018 to object to the new and very significantly extended Boomtown Licence.

It is totally unacceptable to require those affected and the local population to comment and object to this licence application during the Christmas and New Year Holiday. A significant and meaningful extension is urgently required beyond 1 January clear of holidays and leave.

We live in the Southdowns National Park with all that National Park status bring with it. This does not include the continuous low frequency noise of Boomtown for six days including two nights until 4.00 am. Neither does it include the traffic chaos on the A272 and surrounding rural roads which has become a recent feature of Boomtown both during these events and the days and weekends, prior to it and after it, when heavy slow lorries and others traffic makes their deliveries. I sat in a traffic queue several times last summer and was late for an important appointment as a result.

Unsociable noise has become an unacceptable blight for those of us living on or near the A272 with no policing, monitoring or penalties of the dangerously high decibel noise from motorbikes on top of which we are now being asked to suffer live / recorded music until 4am.

When Boomtown / its predecessor started it was for 24 hours and those enjoying the event had to be clear by early morning. There was no camping or issues with traffic chaos because people were bused to and from it.

I am sure Boomtown is a commercial success for the organisers, but the needs of the local population have been totally ignored. Even the Goodwood race track is constrained by the number of days it can be used and was designed with the local population in mind. There was much consultation before permission was granted. Boomtown on the other hand has grown exponentially without well advertised local presentation, road shows, consultation or meetings by the owners, shareholders and organisers at the local level. The location of Boomtown has not been designed. It is a beautiful natural feature and no consideration has been given to the disruption caused to the rural population and local businesses who have no obvious tangible share or benefit from this extremely profitable venture.

The disruption to Hampshire's major traffic routes and highways and the financial impact on the UK's economy is totally unacceptable.

"Nimby" this objection may be. We chose to live in the tranquillity and beauty of a National Park, for all its drawbacks. But we did not choose to have this unacceptable disruption of a noisy invasion by some 79,999 festival goers (sic), many of whom may be used to a noisy urban life with its regular bus services, excellent internet and mobile phone coverage, local schools, shops, medical services, all within walking distance. When our rural services are brought up to an acceptable standard, then and only then, should this

licence even be considered. In the meantime there are perfectly adequate venues in cities and towns more used to this type of event and better placed to cope with it.

In short none of the four licensing criteria have been demonstrated as being met either for "Boomtown 2018" and least of all for "Boomtown 2019" or beyond. As one whose days and nights were unacceptably blighted by "Boomtown 2017" I very strongly object to "Boomtown" and its impact both on me and my community.

Yours aye,

David Templeman

Turnpike Cottage

Hinton Ampner

Alresford

Hampshire

SO24 0JT



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## Matthew Tucker

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**From:** Linda Gaunt [REDACTED]  
**Sent:** 22 December 2017 17:56  
**To:** Licensing  
**Subject:** Boomtown Festival UK Ltd - New application

I would like make the following objections to the application for a new licence submitted by BoomTown Festival UK Limited on the grounds of the prevention of public nuisance:

- I feel that increasing the licensable activities to 75,000 people (rising to 79,999 in 2109) would increase the traffic leaving on the Monday to an untenable volume.
- Allowing live music with Increased volume until 4 a.m. on Saturday, Sunday and Monday would be intrusive to the local community, who are already unhappy with the amount of noise generated under the present licence.

I believe that both the increased traffic and noise would constitute public nuisances. The traffic leaving the site after the event on Monday already causes the surrounding roads for many miles to become gridlocked. The roads around the site are unable to cope adequately with the present level of traffic on Monday afternoon, but the additional vehicles would be a step too far and even if extra public transport is organised, this in itself would increase the traffic.

Dr Linda Gaunt  
5 Little Hayes Lane, Itchen Abbas, SO21 1XA

**Matthew Tucker**

---

**From:** Ralph Matthews [REDACTED]  
**Sent:** 22 December 2017 20:18  
**To:** Licensing  
**Subject:** Boomtown - objection to application to increase numbers  
**Attachments:** Objection re Boomtown.docx

Dear Mr Tucker

I attach my objection to the application by Boomtown to increase the permitted numbers for the 2018 festival.

M R E Matthews

To Licensing Department, Winchester City Council

Boomtown

I object to the application for an extension of the licence for the Boomtown festival for 2018 to increase the numbers to 76,000.

I live in Avington, close to the site of the festival.

The festival is a considerable nuisance to the local residents, both as regards noise disturbance, traffic congestion and disruption to local travel. Most people who attend are not local, but it is the locals who suffer the aggravation. Any additional numbers would aggravate this disruptive effect further.

The application is a substantial increase over the permitted numbers for the 2017 festival (59,999). That was a considerable increase over the 2016 festival (49,999). That in turn was a significant increase over the 2015 festival (39,999). There has been a relentless expansion in a short time. The numbers should be stabilized for at least three years to enable proper assessments of the methods of reducing the disruption and disturbance.

Increased numbers bring increased risks of fire, crime, health or sanitation problems. Last year a fire in the car parking area did considerable damage to a number of cars. The risk to public safety is already high and additional numbers would aggravate the position.

The site is within the South Downs National Park. The festival, as permitted for 2017, already conflicts with the policies of a National Park as regards peaceful enjoyment of the park, protection of habitats of wildlife and dark skies. This would be further eroded by an extension of the numbers attending.

I ask that any increase in numbers should be refused.

M R E Matthews  
Lake House, Avington

## Matthew Tucker

---

**From:** Frank Barker [REDACTED]  
**Sent:** 10 January 2018 16:45  
**To:** Matthew Tucker  
**Subject:** RE: Objection to the application to change the Boomtown licence

Dear Matt

I live at:

5 Windermere Gardens  
Alresford  
SO24 9NL

Regards,

Frank

---

**From:** [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk) [mailto:MTucker@winchester.gov.uk]  
**Sent:** 10 January 2018 16:43  
**To:** [REDACTED]  
**Subject:** RE: Objection to the application to change the Boomtown licence

Dear Mr Barker – I have been asked to confirm your address in order to make your objection compliant with the Licensing Act 2003.

Regards

Matt Tucker  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

**From:** Frank Barker [REDACTED]  
**Sent:** 19 December 2017 12:51  
**To:** Licensing  
**Subject:** Objection to the application to change the Boomtown licence

The Boomtown Festival organisers have applied to the WCC Licensing Department for changes to the existing licence under which they operate. These changes, if approved, will allow many more attendees and will significantly increase the permitted noise levels - up to 4 o'clock on Saturday and Sunday mornings.

The application asks for the number of attendees to increase from the current 60,000 to 76,000 in 2018 and to 80,000 in 2019.

So, in 2018 the number of attendees will have increased by 33% (on third). The implication of this is that:

- the number of cars will increase by 33%;

-the congestion on the roads when the customers are trying to leave on the Monday will increase by 33% (in actual fact, classical queuing theory says that the traffic congestion will be far worse than that - the relationship between the number of cars and the delays caused by the congestion is very far from being linear!!).

Traffic leaving Boomtown and the congestion caused is already a Public Nuisance and more traffic will dramatically increase the level of this nuisance.

But there is another, very serious, implication. In 2016 an ambulance was summoned to attend a Cheriton resident who had developed a life threatening condition. Because of traffic leaving the Boomtown event, the ambulance was badly delayed in getting to the resident and badly delayed in getting him to hospital. There was very nearly a tragedy.

This is a matter of Public Safety. It has been argued that Public Safety relates only to the attendees of a licensed event. However the 2003 Act contains the following in a number of paragraphs:

*"there is, or is likely imminently to be, disorder on, or in the vicinity of and related to, the premises and their closure is necessary in the interests of public safety"*. This is clearly meant to encompass the safety of people *in the vicinity* of an event and not solely the attendees.

Hence the inability or hindrance of emergency service staff to get to residents *in the vicinity* of Boomtown constitutes a Public Safety Issue.

As regards the noise, the application asks for the levels of the low frequency ("thumping bass") output to be increased. Although the numbers look small (a 5db increase from the current 65db to 70db) the impact will be very great indeed. It is worth remembering that in the past, the current permitted levels have resulted in over 80 complaints being lodged for one of the music events. As in the case of the traffic impact, the increase in the allowed levels and the perceived impact off-site (i.e., in the surrounding areas) is not linear.

It is very well worth noting that the Head of Licensing for WCC has commented that:

*"base noise travels more efficiently over distance than high frequency so it subjectively appears to be more intrusive and therefore more likely to cause 'annoyance'"*.

So again we have an increased Public Nuisance.

In the light of this, I ask the Licensing Sub-Committee to reject this application.

Frank Barker

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## Matthew Tucker

---

**From:** MELANIE HILL [REDACTED]  
**Sent:** 10 January 2018 16:49  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown

My address is  
1 Manor Farm  
Klimestone  
Alresford  
SO24 0NW

> On 10 Jan 2018, at 16:43, [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk) wrote:

>

> Dear Ms Hill - I have been asked to confirm your address in order to make your objection valid under the Licensing Act 2003.

>

> Regards

>

>

> Matt Tucker

> Interim Licensing Manager

> Environmental Health & Licensing Department Winchester City Council

> City Offices, Colebrook Street, Winchester, SO23 9LJ

>

> T. 01962 848188 (Ext. 2188)

> F. 01962 840586

> M. 07980 732143

> E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

>

>

> -----Original Message-----

> From: MELANIE HILL [REDACTED]

> Sent: 21 December 2017 12:48

> To: Licensing

> Subject: Re: Boomtown

>

> Thank you. Since I emailed my objection Boomtown have further explained it's not the noise level but the bass they want to increase.

> Please can I therefore add the following to my objection:

> I object to the bass being increased any more. The bass is the worse bit. I can actually physically feel it inside my house. It gives me a pounding headache for the me duration as it pounds round my skull. Please please don't not let them make it any worse.

> Not many people will be aware of Boomtowns application as there has not been time to disseminate the information by non-internet means eg Village magazine, Village noticeboards, seems not many people will have had time to object as Boomtown have not left much time over the Christmas period to get the information round to people.

> Melanie Hill

>

>> On 21 Dec 2017, at 10:33, [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk) wrote:

>>

>> Dear Ms Hill - thanks for your e-mail, objecting to the above application.

>>

>> Since we have received one or more valid objections, the application  
>> will be determined by a Licensing Sub-Committee within twenty working  
>> days of the end of the consultation process. We will, of course, keep  
>> you informed of the details of the Hearing, should you wish to attend  
>>

>> Regards

>>

>>

>> Matt Tucker

>> Interim Licensing Manager

>> Environmental Health & Licensing Department Winchester City Council

>> City Offices, Colebrook Street, Winchester, SO23 9LJ

>>

>> T. 01962 848188 (Ext. 2188)

>> F. 01962 840586

>> M. 07980 732143

>> E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

>>

>>

>> -----Original Message-----

>> From: MELANIE HILL [REDACTED]

>> Sent: 20 December 2017 19:19

>> To: Licensing

>> Subject: Boomtown

>>

>> Dear Winchester Council,

>> Please do not allow Boomtown to make their music even louder for even longer. It's ridiculously loud already - I can actually feel the bass inside my house. It makes it impossible to sleep for 4 days, the bass gives me a pounding headache for the duration, it keeps all my kids awake and there is nothing I can do to help them. It makes me ill.

>> I am sure it's great for the people who go but for most local residents it's a nightmare. I really dread it each year. It's unfair to inflict anything else on people who live locally. Not many of these people will be able to object as they are less likely to be on social media so they won't hear about the application.

>> Please please do not allow them to increase their days or noise levels.

>> Melanie Hill

>>

>>

>>

>> \_\_\_\_\_  
>> This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

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> \_\_\_\_\_  
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>

## **Matthew Tucker**

---

**From:** Allison Matthews [REDACTED]  
**Sent:** 10 January 2018 16:57  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown 2018

I made the objection on behalf of the Upper Itchen Valley Society  
c/o Lake House  
Avington  
Winchester  
Hampshire SO21 1DE

Allison Matthews

On 10 Jan 2018, at 16:53, <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> wrote:

Dear Ms Matthews – this would be your postal address.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

---

**From:** Allison Matthews [REDACTED]

**Sent:** 10 January 2018 16:52

**To:** Matthew Tucker

**Subject:** Re: Boomtown 2018

I don't know if you mean postal address or email address

Allison matthews

On 10 Jan 2018, at 16:50, <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> wrote:

Dear Ms Matthews – I have been advised by Legal that, in order for your licensing objection to be valid, you need to list your address, hence my earlier request.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

**From:** Alison Matthews [REDACTED]  
**Sent:** 10 January 2018 16:50  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown 2018

I am not sure what the problem is and suggest you ring me on [REDACTED]  
Alison Matthews

On 10 Jan 2018, at 16:43, <MTucker@winchester.gov.uk> <MTucker@winchester.gov.uk> wrote:

Dear Ms Matthews – I have been asked to clarify your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker**

Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ  
T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

**From:** Alison Matthews [REDACTED]  
**Sent:** 22 December 2017 16:36  
**To:** Licensing  
**Subject:** Boomtown 2018

Dear Mr Tucker

**Boomtown/Matterley Estate License Application**

This objection is made on behalf of the Upper Itchen Valley Society. The Society was formed in 1970 to "preserve what is good in the upper Itchen Valley". It has over 500 members mostly resident in the Itchen Valley villages.

The Society objects to this application for the following reasons:

**1. Traffic**

The extra day of opening will cause further public nuisance in this locality in terms of traffic congestion and road closures.

The additional 16,000 people this year and 20,000 next year will have to reach the site by road. This will inevitably add to the traffic congestion on the days of the festival and cause yet more problems. Many local people have concerns about emergency vehicle access.

The gap closures on the A31 mean that the many residents of the Itchen Valley who work in the Southampton direction have to make considerable detours and suffer delays in order to get to their jobs on 4 days.

Local businesses suffer reverse problems in that their customers cannot reach them.

**2. Noise**

The increased noise levels will cause additional public nuisance and the noise will occur on a fifth night of the working week. Following creation of the South Downs National Park we understood that the City Council had revised its licensing policy by imposing stricter conditions to protect and enhance tranquillity. We hope that these stricter conditions will be applied.

**3. Safety**

Last year many of those trying to get in to the event stood for several hours in the sun unable to obtain water or to reach lavatories. This aspect of the event was extremely badly managed and no increase in numbers should be allowed until the organisers can cope safely with the current level of 59,999.

The numbers have increased rapidly over the last few years and it is time for some consolidation.

**4. South Downs Way**

Another form of public nuisance is the disruption caused to the South Downs Way at the height of the summer holiday period. Walking this path is the essence of the National Park yet the route is diverted for Boomtown and tranquillity on this part of the walk is non-existent.

Winchester is the starting/ finishing point and yet the City Council allows it to be spoilt for most of August.

We hope that you will also bear in mind the extended times taken to put up and take down the structures that seem to be required for the event. This causes more disruption on the A 31 and to the South Downs Way. We do not consider the closure of the popular Cheesefoot Head public car park to be reasonable.

We ask you to refuse this application.

Alison Matthews

Chairman

## Matthew Tucker

---

**From:** Henry Labram [REDACTED]  
**Sent:** 10 January 2018 17:16  
**To:** Matthew Tucker  
**Subject:** Re: "No" to Boomtown

My address is: 1 The Old Dairy, Easton, Winchester SO21 1EU

Kind regards Henry Labram

Sent from my iPhone

> On 10 Jan 2018, at 16:43, <MTucker@winchester.gov.uk> <MTucker@winchester.gov.uk> wrote:

>

> Dear Mr Labram - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

>

> Regards

>

>

> Matt Tucker

> Interim Licensing Manager

> Environmental Health & Licensing Department Winchester City Council

> City Offices, Colebrook Street, Winchester, SO23 9LJ

>

> T. 01962 848188 (Ext. 2188)

> F. 01962 840586

> M. 07980 732143

> E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

>

>

> -----Original Message-----

> From: Henry Labram [REDACTED]

> Sent: 19 December 2017 12:30

> To: Licensing

> Cc: Kim Gottlieb; Cllr Lisa Griffiths; Appleby Patrick; Alison and

> Ralph Matthews; FWD Cllr Porter

> Subject: "No" to Boomtown

>

> As a resident of Easton, and somebody who has been fortunate enough to travel extensively in the world, I know that this beautiful rural environment is "world class" and very special, something we should preserve for evermore, at all costs. Once it has gone, it cannot be recovered.

> Furthermore the impact of events like Boomtown on local wildlife is catastrophic.

> I am totally opposed to any such events for the same reasons as those expressed by many others such as noise, traffic, drugs etc.

> I do not believe that there has ever been a proper independent and objective economic evaluation of this event. I know that there is no substantive evidence of local benefit except for the landowner, whom it has to be noted has not correctly respected permissions granted by Winchester CC previously. ( My assertions are all well documented elsewhere. Most of the contractors come from far afield). To coin an expression, THE WINCHESTER ENVIRONMENT DESERVES BETTER!

> Henry Labram

> Easton resident  
[REDACTED]

>

> Sent from my iPhone

>

>

> \_\_\_\_\_  
> This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

> \_\_\_\_\_

## Matthew Tucker

---

**From:** Elaine Labram [REDACTED]  
**Sent:** 10 January 2018 17:43  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown

My address is 1 The Old Dairy, Easton, Winchester SO211EU

Elaine Labram

Sent from my iPhone

> On 10 Jan 2018, at 16:43, <MTucker@winchester.gov.uk> <MTucker@winchester.gov.uk> wrote:  
>  
> Dear MS Labram - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.  
>  
> Regards  
>  
>  
> Matt Tucker  
> Interim Licensing Manager  
> Environmental Health & Licensing Department Winchester City Council  
> City Offices, Colebrook Street, Winchester, SO23 9LJ  
>  
> T. 01962 848188 (Ext. 2188)  
> F. 01962 840586  
> M. 07980 732143  
> E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)  
>  
>  
> -----Original Message-----  
> From: Elaine Labram [REDACTED]  
> Sent: 19 December 2017 12:16  
> To: Licensing  
> [REDACTED]  
>  
> Subject: Boomtown  
>  
> Dear Licensing Dept  
>  
> I'm very concerned about the increasing creep that Boomtown are pushing for - an ever increasing expansion of their event. This event takes place in the South Downs National Park and is already very intrusive for the local community with very heavy traffic over the week of the event. There are big environmental implications on the wildlife of the site.  
>  
> The music is already very loud and can be heard from our house when the wind is in the wrong direction. I am completely opposed to any increase in music levels.  
>  
> I'm also very opposed to any increase in attendance which would increase traffic and the impact on surrounding villages. Increased attendance with implications for increasing infrastructure means more damage to the site and a longer set up time. The time limit for setting up and taking down the event is already exceeded every year.  
>

> The attempt to stretch the event to Wednesday I find completely unacceptable. We already suffer on Sunday evening with loud music and to extend the event to Wednesday is asking too much of the local community.

>

> The Council must respond to the concerns of the local residents and not just to the economic implications for the organisers and landowner.

>

> Elaine Labram

>

>

> Sent from my iPad

>

>

> \_\_\_\_\_  
> This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

>

> \_\_\_\_\_



## Matthew Tucker

---

**From:** Emma Mitchell [REDACTED]  
**Sent:** 10 January 2018 18:56  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown

My address is  
Three Acres, Chapel Lane, Easton, Hants SO21 1HQ

We are 1/2 mile from the site and less than a mile from the Matterley Bowl.

Thanks  
Emma Mitchell  
[REDACTED]

Sent from my iPhone

> On 10 Jan 2018, at 16:43, [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk) wrote:

>

> Dear Ms Mitchell - I have been asked to confirm your address in order to ensure your comments are valid under the Licensing Act 2003.

>

> Regards

>

>

> Matt Tucker

> Interim Licensing Manager

> Environmental Health & Licensing Department Winchester City Council

> City Offices, Colebrook Street, Winchester, SO23 9LJ

>

> T. 01962 848188 (Ext. 2188)

> F. 01962 840586

> M. 07980 732143

> E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

>

>

> -----Original Message-----

> From: Emma Mitchell [REDACTED]

> Sent: 21 December 2017 20:39

> To: Licensing

> Cc: Caroline Johnson

> Subject: Boomtown

>

> Dear Council

>

> I would like to show my approval for the increase of number of attendees to Boomtown from 60,000 to 76,000 in 2018 and 80,000 in 2019.

>

> It is a fantastic festival and great fun to attend so I think the more the merrier. I live very locally (Three Acres, Chapel Lane) and have found that the advantage of the festival on our doorstep greatly outweighs any disturbances.

>

> Our young people need to have fun and listen to good music, and dancing is very therapeutic. Life can be very stressful and demanding for the young, and it is important to be able to enjoy this festival. The atmosphere has

always been very peaceful and friendly in my experience. My husband and I and our four teenage children have really enjoyed Boomtown over the years and it is a highlight in our Calendar.

>

> My son Zac who is 20 has suffered from a brain tumour when he was 14 and has had Hodgkin's Lymphoma this year with 6 months of chemo over the summer. He couldn't go to any other festivals this year but we took him to Boomtown and it was a wonderful break from being ill at home. He particularly likes the reggae in The Lions' Den.

>

> I hope you will approve the increase in numbers of attendees.

>

> yours sincerely

>

> Emma Mitchell

>

>

>

>

>

>

> \_\_\_\_\_  
> This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

> \_\_\_\_\_

**Matthew Tucker**

---

**From:** Graham Tarbuck [REDACTED]  
**Sent:** 23 December 2017 13:47  
**To:** Licensing  
**Subject:** Boomtown Festival licensing application.  
**Attachments:** Licensing Application Objection.docx

Dear Sirs

Please find attached my objection to the new, enlarged Boomtown Festival Licensing Application.

I understand that it is Christmas, but please confirm receipt on your return.

Merry Christmas and a Happy New Year.

Graham Tarbuck

## Licensing Application Objection.

### Boomtown Festival August 2018 and 2019

In 2017 there were incidents of festival goers waiting for up to 8 hours for admission on a particularly hot day, followed by a rainy day which resulted in excessive mud from the site being dragged on to main roads near the ingress/egress points leaving them in a dangerous state for other motorists. There was a clear lack of organisation around these points to deal with the numbers involved.

The new Licensing Application is seeking to increase the capacity by 60% (or 30,000 more people), the majority being in 2018. The Application gives a predicted breakdown of these additional attendees into entertainers, staff and festival-goers (note to local residents from the organisers). The mix is irrelevant, they all require transport to and from the site.

In the Boomtown Festival - Proposed Schedule of Premises License Conditions, section PN2 the applicant states "that not less than 25% of all public tickets will be permitted to access site by coach". This means that up to 21,500 additional people could travel by vehicles other than coaches (let's call these cars and campervans), at an average occupancy of say 4 per vehicle means 5,375 potential additional vehicles or 10750 additional road journeys, weighted on the first and last days. Of the other 7,500 additional capacity, assuming they ALL travel by coach, this will require in excess of 300 additional coach journeys.

Traffic congestion for both festival-goers and residents alike, for miles around the event, particularly on the opening/closing days, gridlocks the whole area including access and enjoyment of the National park.

One of the four licensing objectives is to ensure the avoidance of public nuisance and this should extend to the right of tranquillity and maintaining dark skies within the National park, as required in the South Downs National Park Local Plan.

The Applicant has not yet provided a Traffic Management Plan (TMP) or details of how this excess will be handled, as required by PN4, for the community to comment on. One can only assume that this is in hand and will be discussed with the Community before the consultation period expires or is extended again. Otherwise the Community Liaison exercise is no more than pacifying a few villagers, not a genuine exchange of views.

Likewise the Bass Noise Level is proposed to increase by 3-5dB for the duration of the "Head-line acts". Have no doubt that this will only be achieved by DOUBLING the power output of the amplifiers - ref: "Gracey and Associates". More sound energy will be transmitted which will increase the sound levels the residents hear. Un-attenuated, low frequency sound is the element that causes most disturbance - exactly what the Applicants want to do.

Sound decays as it travels through air, hence the more energy generated at the source, the further it will travel. Each monitoring location has a unique sound level depending on its distance from the source which must be specified on the NMP. The Licensing committee were misled when considering the Motocross Event at Ovington Down farm.

Ok, forget the science, but can we all agree that sound fades away the further we move from the source? So we can easily measure different volumes of noise at different locations. The community KNOWS what the sound was like last year and their houses have not moved, THEREFORE, the disturbance and public nuisance, at the proposed new levels, and extended opening hours will be measurably worse.

Again we cannot hold a meaningful Community Liaison and Public Consultation Meeting without this information and an NMP.

It is not the remit of the Licensing Committee Authority to determine that "Head-line Acts" are performing under their ideal conditions and satisfying their fans (as being the reason stated by the

Applicant for increasing the sound levels). Quality of performance is not part of the Licensing Objective and should not be considered. These contracts were agreed long ago and, I would suggest, are not bounded by sound levels. If they are, then the Organisers have committed to conditions they currently cannot deliver.

Finally, who takes responsibility for the public safety and wellbeing of the young and elderly who face being disturbed by loud music from 10:00am through to 4:00am the following day for four consecutive days/nights? The Authority should not ignore this aspect when considering this application, it is a corollary of your decision, not an unintended consequence.

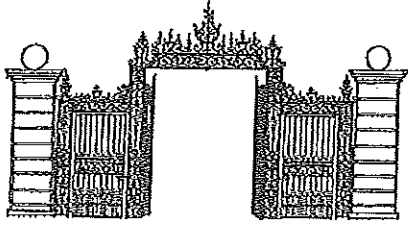
I am objecting on grounds of :

1.Public Nuisance

2.Public Safety

I request this representation be considered by the Licencing Authority.

Graham Tarbuck  
Orchard View,  
Kilmeston Road  
SO24 0NJ



AVINGTON PARK  
WINCHESTER  
HAMPSHIRE SO21 1DB

www.avingtonpark.co.uk Email: [REDACTED]

Licensing Section  
Winchester City Council  
City Offices  
Colebrook Street  
Winchester SO23 9LJ

22<sup>nd</sup> December 2017

Dear Sirs,

**BOOMTOWN FESTIVAL UK 2018**

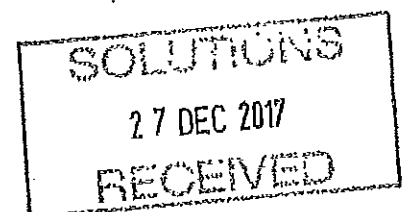
I understand there has been an application to add an extra day to this festival and an extra 20,000 people and due to the added numbers, the sound levels need to be increased.

The prevention of crime and disorder, public safety and nuisance is hugely affected by the numbers in the past, and I can only assume that this will get worse with this proposed increase. The traffic management for this festival has proved to be a shambles for the last 2/3 years as it has been growing. Avington Lane leading to the A31 has not been closed at the A31 allowing festival goers to use the lane as a public toilet, rubbish dump, and bedroom, the appalling gridlock that we have had to put up with, loses us business, as we are so close.

I would like the festival organisers to prove that they can manage the traffic they have on the lead up and exit days before they start trying to increase the numbers and therefore naturally the noise. They have not shown any ability to act swiftly if there is a problem, they need more staff on traffic management and better interior site management to aid the traffic flow and to stop festival goers using the local roads/ lanes as they see fit.

I will be very unhappy if they are allowed to increase the numbers and noise levels until they have proven their ability to do a good job. It is ludicrous to suppose that this will improve by adding another day and another 20,000 people.

[REDACTED]  
SARAH BULLEN



## Matthew Tucker

---

**From:** Elizabeth Thorn [REDACTED]  
**Sent:** 29 December 2017 16:15  
**To:** Licensing  
**Subject:** BOOMTOWN FESTIVAL AUGUST 2018 - EXPANSION OF NUMBERS ATTENDING

I do not live in the immediate vicinity of the Matterley Bowl, but I wish to point out various ways in which the Boomtown Festival has already had an impact on those of us who live further away – I would not presume to speak on behalf of those who live nearer, who have their own concerns. I write in relation to the four licensing objectives, as given on the website.

1. Preventing Crime & Disorder

The Festival, like other similar ones, attracts drug-takers and -sellers; this inevitably leads to many breaches of crime and disorder acts, and there will be more of these if larger numbers attend. Drug-taking leads to more crime, to pay for the drugs.

Two women have already died at the Festival – larger numbers could well lead to more deaths.

Two years ago, 80+ cars were needlessly destroyed by fire, because the proper precautions had not been taken – the cars should not have been where they were. This was a wanton waste of property and could have been a risk to life; this shows that the numbers of vehicles attending in the past could not be properly looked after – the inevitable greater numbers of vehicles increase that risk.

2. Public Safety

People attending the Festival are more likely to be exposed to drug-taking than in their normal lives; this can only increase the risk of participants coming to harm through drugs – after all, in some cases, just one pill has led to death.

The extreme volumes of sound are quite unnecessarily high – so much so that people in surrounding areas are subject to it, but also many of those attending will suffer permanent hearing impairment. A maximum safe sound level should be set and enforced.

3. Preventing Public Nuisance

More people = more vehicles. This will lead to public safety issues, on the site, in the immediate environs and also in the wider area. The arrival times of participants seem to be fairly staggered, whereas departure time is more confined and leads to misery for everyone, not just in the immediate surrounding area. Two years ago, the whole of Winchester was so snarled up on the Monday afternoon that it took me more than an hour to go from Weeke to my home near the bottom of Sleepers Hill – a journey that normally takes 7-10 minutes. As I had to go home to pick up things, before immediately driving to Basingstoke for an early evening event (we were nearly an hour late), Boomtown certainly caused a great public nuisance for thousands of people that day. The date of our event was moved this year, to avoid such a repetition; perhaps the traffic was better organised this year, I don't know. However, Winchester often grinds to a halt for many reasons; it is unfair to inflict yet another one on the general public, which would be exacerbated by more vehicles attending. I have no faith in the organisers' ability to manage successfully the proposed greater attendance, based on past experience, where their systems have been shown to be woefully inadequate.

On the last evening of this year's Festival, there was predicted to be a good show of meteors; I went outside, but could see nothing because of very strong searchlights constantly scanning across the sky, obviously coming from Boomtown. Even though I live about 4 miles from the site, my quiet enjoyment of celestial wonders was prevented!

I have sometimes been subjected to sound from the Festival, even at this distance. The reason for fewer complaints about noise isn't that the nuisance hasn't been any less, only that we know it is a waste of time complaining, as nothing is done to alleviate it. Sound barriers will send the noise upwards and outwards, so impacting on a wider area.

4. Protecting Children from Harm

All I can say on this subject is that more people = more drug-taking = more possible harm to children.

Elizabeth Thorn (Miss)  
Hawthorns  
Airlie Lane  
Winchester  
SO22 4WB

Sent from Mall for Windows 10

---



Virus-free. [www.avg.com](http://www.avg.com)



**Matthew Tucker**

---

**From:** Rachael Greenwood [REDACTED]  
**Sent:** 29 December 2017 17:18  
**To:** Licensing  
**Subject:** Application for New Licence- 2018 Boom Town Festival, Matterley Bowl

To whom it may concern

In recent years, the Boom Town Festival has strained local infrastructure to breaking point. In particular, the road network cannot cope with the volume of traffic movements generated by such high numbers of visitors to the site. The level of disruption to everyday life, both during the working week and over the weekend, including the attendant noise levels has increased to unacceptable levels.

Therefore, for the prevention of public nuisance, I object to the increased attendance limit from ca 60,000 to ca 76,000 in 2018 and to extending the event by one further day.

Rachael Greenwood  
7 Greys Farm Close  
Cheriton  
Alresford  
Hampshire SO24 0EU

**Matthew Tucker**

---

**From:** Russell Fairchild [REDACTED]  
**Sent:** 29 December 2017 17:54  
**To:** Licensing  
**Subject:** Boomtown 2018

We live in Chilcomb and **object most strongly** to the proposed increase in attendance for Boomtown 2018 and to the proposed increased noise levels, particularly at the low frequencies. These frequencies are propagated through the ground and no amount of sound-deadening barriers will protect local communities from the consequent incessant throbbing through the evening and night. This is **TOTALLY UNACCEPTABLE**.

Also **TOTALLY UNACCEPTABLE** is the proposed further increase in attendance. Specifically because of the day-long chaos on the local roads caused by the 'get out' on the Monday morning. This apparently cannot be phased in any way and is hugely disruptive to local residents and businesses. It was unacceptable this year and will inevitably be much worse with **ANY** increase in attendance numbers.

Russell and Angela Fairchild  
The Thatched Cottage  
Chilcomb  
Winchester,  
SO21 1HR

Sent from Mail for Windows 10

## Matthew Tucker

---

**From:** Julian Hartwell [REDACTED]  
**Sent:** 10 January 2018 17:07  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown

Please see below.

Regards,  
Julian Hartwell  
Martyrwell  
Cheriton  
Alresford  
Hampshire  
SO24 0QA

> On 10 Jan 2018, at 16:42, <MTucker@winchester.gov.uk> <MTucker@winchester.gov.uk> wrote:

>

> Dear Mr Hartwell - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

>

> Regards

>

>

> Matt Tucker

> Interim Licensing Manager

> Environmental Health & Licensing Department Winchester City Council

> City Offices, Colebrook Street, Winchester, SO23 9LJ

>

> T. 01962 848188 (Ext. 2188)

> F. 01962 840586

> M. 07980 732143

> E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

>

>

> -----Original Message-----

> From: Julian Hartwell [REDACTED]

> Sent: 27 December 2017 16:41

> To: Licensing

> Subject: Boomtown

>

> Dear Sir,

> I wish to object to the application for the new licence.

> Until now we have put up with the noise and traffic congestion on the basis that Boomtown brings pleasure to others. However over the years the event has grown, as has the public nuisance that goes with it, and it's time to stop to further expansion of the event.

> Yours,

> Julian Hartwell (Martyrwell, Cheriton)

>

> \_\_\_\_\_  
> This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are



## Matthew Tucker

---

**From:** Stephen Firth [REDACTED]  
**Sent:** 31 December 2017 01:25  
**To:** Licensing  
**Subject:** Boomtown 2018 Licensing application

Blake's School House  
Hinton Ampner  
Alresford  
HANTS SO24 0JT  
31/12/2017

Dear Sirs,

I note from my local Parish magazine (Bramdean and Hinton Ampner) and from the Titchborne Parish Council web pages that BoomTown Festival UK Limited has applied for a new Premises Licence for the Matterley Bowl, Alresford Road, Winchester, Hampshire. This application in total has the intent to provide licensable activities for a duration of six days permitting 79,999 participants to occupy the site and indulge in activities that include the performance of live and recorded music.

In recent years this site has been used for similar purposes over a limited period. During these events the nuisance created has amounted to an excessive infringement of the peaceable enjoyment of rural life amounting to a public nuisance. The performances have been excessively loud, resulting in disturbance to natural sleep at a distance of at least three miles from the site of the event. The event organisers have been permitted to manage both the event and complaints that relate to the nuisance caused by the event. It has been notable that complaints are treated in a frivolous manner by the organisers and that requests to reduce the noise are routinely ignored. Not only is the disturbance ignored, but the organisers do not pass details of complaints to Winchester City Council. This latter breach of procedure and good faith is evidenced by the under reporting of complaints by the organisers. Having complained about the excessive noise to the organisers I can confirm that complaints are met with snide indifference. For example my complaint about the noise was met by the response "Oh, you think you're so special don't you?" and a refusal to reduce the level of noise.

This is a rural community and many of the residents need to get to sleep early and rise at dawn in order to work in agriculture and in other rural industries. To have noise that continues until 4AM is a public nuisance.

A further nuisance is committed by traffic joining and leaving the site.

Local residents need to drive to work, which means accessing the A272, A31, Spitfire Link and the M3. The traffic access arrangements to the site mean that delays of 30 minutes are common during peak hours and, during set up and break down, traffic can be brought to a standstill for hours. There are insufficient access points and traffic management at the site is poor. If the event is to be enlarged then a traffic management plan that guarantees priority to local residents is an absolute priority to ensure traffic safety. Holding traffic on site to prioritise commercial and residential traffic during peak hours is an essential licensing requirement.

Fire safety at the site, as exemplified by the 2016 fire is appallingly poor. Over eighty vehicles were incinerated and the blaze resulted in a plume of polluted smoke over local residences. Neither the organisers nor Winchester City Council evaluated the impact of the conflagration on air quality or groundwater pollution. However it is clear that a fire that involves hydrocarbons and polyurethane materials (car interiors) must release cyanide, cyanates, diaminotoluene, formaldehyde, acetaldehydes, ketones, alkenes and other hydrocarbon pollutants into the environment and that the organisers were not prepared for this possibility. Nor were Winchester City Council prepared to respond to the incident. There appeared to be no fire control plan nor was there any preparation to contain pollutants within the site. In short safety preparations were, and continue to be, negligent.

This site is not adequately prepared for the influx of 80,000 visitors.

The safety of local residents and site visitors is compromised. Noise levels are not adequately monitored and there is no plan or even a mechanism by which noise nuisance may be abated. The festival is disproportionate to the peaceable enjoyment of a National Park and exerts a drain upon local resources that cannot be met. It is a public nuisance that is inadequately managed by Winchester City Council and by the organisers. It is disproportionate to the quiet enjoyment of a National Park by local inhabitants and by visitors. It is of such a scale that is not permitted within the confines of any National Park within the UK and is of such a scale that no other National Park would consider the nuisance caused to be proportionate to the benefit (none) to local residents.

I believe that Winchester City Council should reduce, rather than increase the days of permitted activity at this site and should limit the performance of electronically amplified music to no later than 23:00 on any day. Given that most residents need to be able to get to sleep by 22:00 each night in order to start work at 06:00 this does not seem an onerous restriction.

Yours faithfully

Stephen A. Firth

**Matthew Tucker**

---

**From:** Penny [REDACTED]  
**Sent:** 31 December 2017 13:07  
**To:** Licensing  
**Subject:** New Licence Application for Boomtown (2018/19)

New Licence Application for Boomtown

Sirs

I wish to OBJECT to the above licence application for the following reasons.

**Capacity Increase**

The current maximum of 60,000 attendees is still proving too challenging for the organisers in most respects, particularly in the use of highways before, during and after the event. This causes much inconvenience to residents and attendees. Increased numbers can only make matters worse.

**Noise levels**

Although sound management has improved, many residents find the current noise limits difficult to accept. Raising the the permitted limits will be a big step in the wrong direction.

The organisers need to prove that they are fully in control in these areas within the existing limits before they seek to bite off even more than they can chew purely in pursuit of even greater profits.

Yours faithfully

Penelope Russell

Yew Tree Cottage  
Avington  
Winchester  
Hants  
SO21 1DD

**Matthew Tucker**

---

**From:** Robert Boyle [REDACTED]  
**Sent:** 01 January 2018 17:14  
**To:** Licensing  
**Subject:** Boomtown

I wish to object to the continuation and extension of the Boomtown licence. The event causes nuisance to local residents both by noise and by traffic disruption. There are long tail backs and delays on the A272 in both directions before, during and after the event. It is completely beggars belief that the Council would contemplate blocking their already over crowded roads, blocking access to Winchester from this direction and causing general disruption to local rate payers whose roads these are and to local businesses who depend on them for their livelihood; the knock on economic damage must far outweigh any subventions to the Council.

I strongly urge the Council to reject this application out of hand.

Robert Boyle  
St Andrews House  
Kilmeston SO24 0NL

causing general disruption to the local rate payers whose roads these are. This application should be turned down out of hand.

Sent from my iPad



## Matthew Tucker

---

**From:** Fiona Boyle [REDACTED]  
**Sent:** 01 January 2018 18:07  
**To:** Licensing  
**Subject:** Boomtown Licence

To whom It May Concern

I am writing to strongly object to five nights of music at the Boomtown Festival, especially as the attendance limit will be raised to a vast size of 80,000 in 2019. There is already huge traffic disruption while the festival is taking place and the noise pollutes our airwaves.

It affects trade and interferes with local businesses. More importantly it invades the life of ordinary people.

Fiona Boyle

St Andrews House, Kilmeston, Alresford, Hampshire SO24 0NL

Sent from my iPad

**Matthew Tucker**

---

**From:** Derrick Speed [REDACTED]  
**Sent:** 11 January 2018 18:49  
**To:** Matthew Tucker  
**Subject:** Boomtown.

Dear Mr Tucker,

Your e-mail of yesterday came through on one of my old e-mail addresses which I no longer monitor. I have left you a message with my details but they are as follows

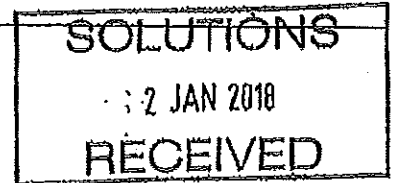
Derrick Speed  
3 Dene Acre,  
Ropley,  
Alresford,  
Hants. so24 0bh.

Please use [REDACTED] if you need to contact me further.

Regards,  
Derrick Speed.

**Derrick Speed**

From: "Derrick Speed" [REDACTED]  
Date: Wednesday, December 27, 2017 6:27 PM  
To: <licensing@winchester.gov.uk>  
Subject: Boomtown.



Dear Sir,

I wish to object to the application to extend both the increase in the number of days and also the increase in the levels of noise.

If approved it will cause additional traffic congestion and noise nuisance over a longer period of time. The existing arrangements already adversely affect thousands of people who live and work locally. The extension of another day and an increase in numbers is unacceptable as most people will arrive on the Wednesday and there will be a demand to extend the music for a further night. They will all leave on the Monday and increased numbers will only increase the chaos that already occurs with residents living along the A31 finding it even more difficult than at present to even leave their own driveways to access the A31 because of the constant stream of traffic occurring over the whole day.

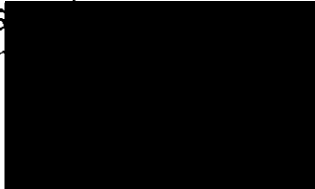
The noise from the existing site can already be heard 6 to 7 miles away and any increase will only cause a greater nuisance for those now affected and extend it over a much larger area annoying a larger number of residents.

The application should be REFUSED as Councillors are elected by the public to represent their views and in this case prevent public nuisance.

I believe that the Licensing Authority refused an application in April to increase the number of attendees by some (850) and now they want an additional increase of some 30,000 over the next few years. The proposed increase in traffic volumes and noise levels is totally unacceptable.

Yours faithfully,

Derrick S  
so24 obh



**Matthew Tucker**

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**From:** cj.ashcroft [REDACTED]  
**Sent:** 10 January 2018 18:19  
**To:** Matthew Tucker  
**Subject:** RE: Objection to Boomtown application for 2018

My full address is 2 graces farm, martyr worthy SO21 1DX.

Having satisfied the provisions of the Act, please confirm that my full address will not appear in the public committee report.

Thank you.

Sent from my Samsung Galaxy smartphone.

----- Original message -----

**From:** MTucker@winchester.gov.uk  
**Date:** 10/01/2018 16:41 (GMT+00:00)  
**To:** cj.ashcroft@btinternet.com  
**Subject:** RE: Objection to Boomtown application for 2018

Dear Mr Ashworth - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

**From:** Christopher Ashcroft [REDACTED]  
**Sent:** 02 January 2018 15:20  
**To:** Licensing  
**Cc:** Jackie Porter; Itchen Valley Parish Clerk  
**Subject:** Objection to Boomtown application for 2018

Further to attending the informal meeting with representatives of the applicant on 21/12/17, I write to object to the above application on the following grounds (which should all be regarded as coming within the licensing objective of 'The prevention of public nuisance'):-

1. To avoid 'customer dissatisfaction', the applicant proposes to increase the lower frequency sounds levels. This I assume will involve more bass, which is the sound which most aggravates those living close to the event. Put simply, the applicant argues that the spectators 'at the back' can't hear the music of the headline acts to the perfect levels they require and so it must be louder. Well, from the residents viewpoint, there is much about this event that is not perfect but we are required to compromise to enable the enjoyment of others - surely the acts and their fans can equally compromise and live with the existing levels. Even if granted, the related proposal to allow more people to attend will presumably result in greater numbers listening to the headline acts. Consequently, those greater numbers will mean the 'people at the back' will be even further away, and so we can anticipate a similar request for a further noise increase next year! This proposal and the reasoning behind it should be rejected now.

2. The proposal to begin the event one day earlier is apparently to spread the traffic and ease admission pressures, by allowing certain ticket holders on site. Whilst the theory of this seems attractive, it does give the event an extra day and, however well it is managed, will still involve a further day's disruption to local traffic. The Sub Committee will need to be certain that the proposed benefits truly outweigh the drawbacks and not be seduced by optimistic traffic projection figures submitted by the traffic consultants, who of course get their brief (and their fee!) from the applicant.

3. The traffic leaving the site after the event has been and will continue to be a major problem for anyone wanting to go about their normal business - and I strongly doubt that the earlier opening will have any effect on the Monday departure chaos. For those of us who need to attend livestock twice a day, every day, in that area, along with those who have medical appointments or indeed any other time critical commitment, it is a major problem and one that will only be exacerbated by the proposed increase in numbers. The applicant states that some of these numbers will be additional site staff and others restricted to coach travel only, but however you massage the figures, there will be a few thousand more vehicle movements on a local road network that, even with past levels of traffic, shows its fragility every time there is any sort of problem and can so easily result in gridlock - and any resident of this part of the Winchester District will know from issues in recent memory that the word 'gridlock' is no exaggeration.

In conclusion, the simple truth is that the applicant wants more of everything - more noise, more attendance, more days. But perhaps the greatest concern is that, if granted, these arguments for an increase could easily be rolled out again next year, and the year after etc etc, until attendance tops the 100,000 figure, which I am sure is the applicant's mid-term aim. I am fully aware that the Licensing Sub-Committee can only consider the application before it and cannot speculate about what may or may not be submitted in the future, but I do hope Members will exercise their customary good sense in seeing the 'direction of travel' of this event and realise that, not only are there sufficient grounds to refuse this current application, but that such a refusal will also act as a major step towards restraining the inappropriate aspirations of the applicant for this site in the future.

Please would you inform me of the date, time and venue of the Licensing Sub-Committee meeting at which this application will be considered.

Thank you

C J Ashcroft

Martyr Worthy

**Matthew Tucker**

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**From:** Roger Bennett [REDACTED]  
**Sent:** 03 January 2018 12:18  
**To:** Licensing  
**Subject:** Boomtown licence application 2017

Dear Sirs,

I request the authority to refuse this latest application on the grounds of Public Safety and noise nuisance. In addition to echoing the objections of Cheriton Parish Council in all respects, I submit that the extra vehicle movements alone will present a significant risk to public safety. I also know of an occasion in 2017 when vehicles arrived via the A31 late on the day before opening and were parked without lights on the road. They would have been there all night, presenting a huge risk to other traffic, except for the timely intervention of a police officer who convinced the on-site security officer to open the gates and let them get off the road. Regarding noise nuisance, the increase of 3 to 5 dB in lower frequencies sounds like a small number, but is in fact huge, as the dB scale is logarithmic. This increase would represent a massive increase in public nuisance in contravention of the National Park policy of tranquillity.

Roger Bennett  
Magnolia Cottage  
Cheriton  
Alresford  
Hampshire.  
SO24 0PX.

**Matthew Tucker**

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**From:** P&C Appleby [REDACTED]  
**Sent:** 03 January 2018 12:25  
**To:** Licensing  
**Subject:** Boom,Town PREM7909

16/00621/LAPRMN

I wish to object to the this application on the grounds of prevention of public nuisance

- the organisers have up to now failed to manage the traffic in a way that avoided considerable congestion on the roads both arriving and departing with the current numbers. How can we think that these problems will be anything but worse with bigger numbers?

- I understand that if the permitted noise levels are breached enforcement takes 24 hours. I also understand that the organisers have in the past exceeded their permitted levels. Until they can demonstrate a consistent track record of adhering to the current licence conditions it would seem perverse to allow them an increase, which they might well then exceed again

Also, an objection on the grounds of protection of children from harm:

- there is considerable evidence that exposure to loud noise damages hearing in the long term. Many of the festival goers are children.

Charlotte Appleby  
Shrubs Hill  
Itchen Abbas  
Winchester  
SO21 1AT

**Matthew Tucker**

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**From:** Max Wilson [REDACTED]  
**Sent:** 03 January 2018 17:14  
**To:** Licensing.  
**Subject:** Premises Licence Application PREM709: 16/00621/LAPRMN by Boom Town Festival UK Limited

Dear Sirs,

I refer to the above. My wife and I object to the above on the grounds of the need to prevent nuisance.

1. Noise

The enlargement of the area covered by Boom Town to increase the number of attendees from 60,000 in 2016 to 79,999 in 2019 will inevitably increase the volume of noise emitted by the various entertainments. Furthermore the proposal is to have the noise being broadcast from 10.00 until 04.00 the following morning on Friday and Saturday and 10.00 to 00.00 on the Sunday will be very disturbing. Our house is within the Winchester City limits on the east side of the centre, but only 2.4 miles from the source of the noise. The persistent thud, thud, thud is particularly irritating. The noise has affected my neighbours and ourselves in the past and will be far worse under the new proposals, both in terms of noise level and timing.

2. Traffic Disruption

Increasing the number of attendees by 33% will make the already serious traffic congestion caused by the event far worse.

Last year on the Monday following the end of the event, the nuisance caused to users of the roads in the Winchester area amounted to several hours of gridlock. The increase in traffic caused by extra attendees will paralyse the road system in the City and its surroundings until well into the Monday evening.

Yours sincerely,

Dr and Mrs M M Wilson  
'Tiomán', Stratton Road,  
Winchester

5028 000  
[REDACTED]



**Matthew Tucker**

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**From:** christopher rattew [REDACTED]  
**Sent:** 03 January 2018 17:15  
**To:** Licensing; Itchen Valley Parish Clerk; Itchen Stoke and Ovington Parish Council  
**Subject:** Boom Town Planning Application

Good Afternoon , I am writing in reference to the recent planning application for an extension to the Boom Town Event at Matterly Bowl .

Firstly may I state that I have seen quite an amount of negative publicity in the local press about this event , this I do find rather incredulous as I have been resident in Easton for 13 years which is only a mile away from the A31 . In the time that Boom Town has been running I can assure you that I have not been inconvenienced in any way , bearing in mind that I drive in and around the area on most days in my work and leisure pursuits.

We have not heard any noise from the event at any time , we have only seen a few harmless searchlights in the sky on the odd evening.

I would further like to add that in my opinion that this type of event brings considerable revenues to the area and also provides work for the student populations and others that partake in the GIG economy.

Putting Winchester on the map can only be good thing

Please feel free to contact me for any further information's.

Kind Regards

Christopher Rattew MIMI MIRTE MSOE  
Homer Cottage  
Easton  
Winchester  
SO21 1EG

**Matthew Tucker**

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**From:** M Moffatt [REDACTED]  
**Sent:** 04 January 2018 06:26  
**To:** Licensing  
**Subject:** BOOMTOWN. SUPPORT

I have no objection to Boomtown as long as noise levels are kept to lower level after midnight, we live close by in Chilcomb.  
No access to Chilcomb village off A31 would be asked ; cars have been left in hamlet.

M.Moffatt.  
Complyns;  
Chilcomb  
SO 21 1HT

M Moffatt

**Matthew Tucker**

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**From:** Brendan Gibbs [REDACTED]  
**Sent:** 04 January 2018 11:30  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Boomtown 2018. Tichborne Parish Council comments on the latest premises licence application.  
**Attachments:** Boomtown 03.01.2018.pdf

Dear David,

Our comments for your action.

With best regards and Happy New Year.

Brendan.

Brendan Gibbs  
Clerk to the Parish Council of Tichborne  
15 The Heath  
Denmead  
Waterlooville  
PO7 6JT  
[REDACTED]

<http://www.tichborne-pc.org.uk>

**THE PARISH COUNCIL OF TICHBORNE**  
**15 The Heath, Denmead, Waterlooville PO7 6JT.**

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Mr David Ingram  
Head of Environmental Health and Licensing  
Winchester City Council  
City Offices  
Colebrook Street  
Winchester  
SO23 9LJ

3rd January 2018

Dear David,

**Re: BoomTown Festival UK Limited, 9 Bank Road, Kingswood, Bristol, BS15 8LS.**

Application for a new Premises Licence for Matterley Bowl, Alresford Road, Winchester, Hampshire.

The purpose of the application is to provide licensable activities as detailed below:-

To authorise the relevant licensable activities for a maximum of 75,000 persons, plus an additional 1,000 Sunday tickets for local residents for the 2018 event.

To increase to a maximum of 79,999 persons from 2019. This includes all persons present at the Premises in whatever capacity including ticket holders, performers, guests and staff.

Provision of regulated entertainment (plays and films) from Monday (00:00 to 04:00 hours); Wednesday to Friday (10:00 to 00:00 hours) and Saturday and Sunday (00:00 to 00:00 hours).

Provision of regulated entertainment (live music) from Wednesday to Friday (10:00 to 00:00 hours), Saturday and Sunday (00:00 to 04:00 hours and 10:00 to 00:00 hours).

Provision of regulated entertainment (recorded music and performances of dance) from Monday (00:00 to 04:00 hours), Wednesday to Friday (10:00 to 00:00 hours) and Saturday and Sunday (00:00 to 04:00 hours and 10:00 to 00:00 hours)

Supply of alcohol from Monday to Sunday (00:00 to 00:00 hours).

Provision of late night refreshment from Monday (00:00 to 05:00 hours),

Wednesday (23.00 to 00.00 hours) and Thursday to Sunday (00:00 to 05:00 hours and 23:00 to 00.00 hours).

The Parish Council of Tichborne would like to make the following comments on the application above.

**Licence conditions PN1 to PN7 (Public Nuisance).**

This application seeks to significantly increase the maximum number of people allowed on the site (from 59,999 to 79,999). This will certainly result in many more vehicle movements both on the site and throughout the local highway infrastructure including the A272, A31 and M3.

In April 2016 the Winchester City Council acting as the Licensing Authority refused an application by the same applicant for a much smaller increase in PREM655 (from 49,999 to 54,998 – an increase of 4,999 people) because of the estimated 865 additional vehicle movements.

The Licensing Authority stated that increase in numbers attending the event could have an adverse impact on the local highway network and could present a public nuisance. In particular, this would be as a result of congestion, caused by vehicles leaving the event, to those living and working in the locality.

The proposed licensed area would be larger than in the current licence, PREM709, and is closer to local communities such as Beauworth, Cheriton, Kilmeston and Tichborne.

The application includes one extra day (Wednesday). This will cause traffic congestion on an additional day for each event and cause noise nuisance for local communities on five instead of four nights.

The Council has a legal responsibility to consider the application in the context of promoting the four licensing objectives one of which is the prevention of public nuisance.

Along with other objectors, the Parish Council considers that this application would cause an additional public nuisance in several respects:

There would be one additional night of nuisance caused by amplified music on the Wednesday of each event.

The low frequency noise levels would be higher than at present.

There are likely to be sound sources (stages) in the enlarged area closer to local communities.

The nuisance caused by traffic congestion on the local highway network would occur on one additional day (Wednesday) when many people will be arriving at the site and on the following Monday, when all attendees would seek to leave the site on the same day.

In our opinion this would cause severe inconvenience (public nuisance) to the users of the entire local highway infrastructure.

#### **Licence conditions PN8 to PN17 (Public Nuisance).**

With reference to condition PN8 of the application the Parish Council would like to be provided with the event licence holder or their nominated representative's contact details so that these may be published on our website [www.tichborne-pc.org.uk](http://www.tichborne-pc.org.uk)

With reference to condition PN9 of the application the Parish Council would like to be provided with copies of the event management plan (EMP) and the noise management plan (NMP) so that these may also be published on our website.

We do not regard ourselves as being qualified to comment on conditions PN10 to PN14.

The conditions PN15 to PN17 of the current application (if permitted) should be vigorously enforced by the licensing authority at all times.

#### **Licence conditions CD1 to CD10 (Crime and Disorder).**

The conditions CD1 to CD10 of the current application (if permitted) should be vigorously enforced by the licensing authority at all times.

**Licence conditions PS1 to PS4 (Public Safety).**

The conditions PS1 to PS4 of the current application (if permitted) should be vigorously enforced by the licensing authority at all times.

**Licence conditions CH1 to CH7 (Protection of Children from Harm).**

The conditions CH1 to CH7 of the current application (if permitted) should be vigorously enforced by the licensing authority at all times.

If possible, the Parish Council would like to make a verbal representation at the licensing hearing.

Please could you arrange for this to take place and advise us of the date, time and location of the hearing.

Yours sincerely,

*Brendan Gibbs*

Brendan Gibbs  
Clerk to the Parish Council of Tichborne.

**Matthew Tucker**

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**From:** Stephen Bohill-Smith [REDACTED]  
**Sent:** 04 January 2018 11:44  
**To:** Licensing  
**Subject:** Prevention of Public Nuisance. Boomtown.

I have read in the papers that Boomtown are wanting to open a day earlier than last year on the Wednesday presumably to counter the huge delays entering the site which occurred last summer.

Thousands of people ended up waiting for hours. This will cause further disruption to the local community due to closed roads and access points with traffic lights.

Also the local residence will have to put up with an additional day of noise disturbance. Additionally I note that the organisers

want to increase the decibel limit by another 5DB,s as they had complaints by the audience that the mainline acts

were too quiet. This is completely unsatisfactory as we can hear the music quite clearly from Lane End into the

early mornings..

Increasing the length of Boomtown by another day does not solve the problem of allowing an increase in numbers to 80,000 to attend this unsatisfactory site situated in the South Downs National Park. This gradual creep in numbers and the number of days of disturbance has got to stop.

Steve Bohill-Smith,  
Lane End Barn,  
Longwood Dean Lane,  
SO211JU.

**Matthew Tucker**

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**From:** Graham Tarbuck [REDACTED]  
**Sent:** 04 January 2018 15:54  
**To:** Licensing  
**Subject:** BOOMTOWN Festival Licensing Application - Objection  
**Attachments:** Licensing Application Objection.docx

To Matt Tucker,

Dear Matt

I e-mailed this objection on 23/12/17, to which you kindly responded.

Since then I have noticed an error on the numbers I used to calculate the increase in attendance. I have corrected the copy attached and would request that it replaces the original.

There are no changes to the text.

Thanking you in anticipation and please confirm that you have been able to do this.

Kind regards

Graham Tarbuck



## Licensing Application Objection.

### Boomtown Festival August 2018 and 2019

In 2017 there were incidents of festival goers waiting for up to 8 hours for admission on a particularly hot day, followed by a rainy day which resulted in excessive mud from the site being dragged on to main roads near the ingress/egress points leaving them in a dangerous state for other motorists. There was a clear lack of organisation around these points to deal with the numbers involved.

The new Licensing Application is seeking to increase the capacity by 33% (or, 20,000 more people), the majority being in 2018. The Application gives a predicted breakdown of these additional attendees into entertainers, staff and festival-goers (note to local residents from the organisers). The mix is irrelevant, they all require transport to and from the site.

In the Boomtown Festival - Proposed Schedule of Premises License Conditions, section PN2 the applicant states "that not less than 25% of all public tickets will be permitted to access site by coach". This means that up to 15,000 additional people could travel by vehicles other than coaches (let's call these cars and campervans), at an average occupancy of say 4 per vehicle means 3,750 potential additional vehicles or 7,500 additional road journeys, weighted on the first and last days. Of the other 5,000 additional capacity, assuming they ALL travel by coach, this will require in excess of 200 additional coach journeys.

Traffic congestion for both festival-goers and residents alike, for miles around the event, particularly on the opening/closing days, gridlocks the whole area including access and enjoyment of the National park.

One of the four licensing objectives is to ensure the avoidance of public nuisance and this should extend to the right of tranquillity and maintaining dark skies within the National park, as required in the South Downs National Park Local Plan.

The Applicant has not yet provided a Traffic Management Plan (TMP) or details of how this excess will be handled, as required by PN4, for the community to comment on. One can only assume that this is in hand and will be discussed with the Community before the consultation period expires or is extended again. Otherwise the Community Liaison exercise is no more than pacifying a few villagers, not a genuine exchange of views.

Likewise the Bass Noise Level is proposed to increase by 3-5dB for the duration of the "Head-line acts". Have no doubt that this will only be achieved by DOUBLING the power output of the amplifiers - ref: "Gracey and Associates". More sound energy will be transmitted which will increase the sound levels the residents hear. Un-attenuated, low frequency sound is the element that causes most disturbance - exactly what the Applicants want to do.

Sound decays as it travels through air, hence the more energy generated at the source, the further it will travel. Each monitoring location has a unique sound level depending on its distance from the source which must be specified on the NMP. The Licensing committee were misled when considering the Motocross Event at Ovington Down farm.

Ok, forget the science, but can we all agree that sound fades away the further we move from the source? So we can easily measure different volumes of noise at different locations. The community KNOWS what the sound was like last year and their houses have not moved, THEREFORE, the disturbance and public nuisance, at the proposed new levels, and extended opening hours will be measurably worse.

Again we cannot hold a meaningful Community Liaison and Public Consultation Meeting without this information and an NMP.

It is not the remit of the Licensing Committee Authority to determine that "Head-line Acts" are performing under their ideal conditions and satisfying their fans (as being the reason stated by the

Applicant for increasing the sound levels). Quality of performance is not part of the Licensing Objective and should not be considered. These contracts were agreed long ago and, I would suggest, are not bounded by sound levels. If they are, then the Organisers have committed to conditions they currently cannot deliver.

Finally, who takes responsibility for the public safety and wellbeing of the young and elderly who face being disturbed by loud music from 10:00am through to 4:00am the following day for four consecutive days/nights? The Authority should not ignore this aspect when considering this application, it is a corollary of your decision, not an unintended consequence.

I am objecting on grounds of :

1.Public Nuisance

2.Public Safety

I request this representation be considered by the Licencing Authority.

Graham Tarbuck  
Orchard View,  
Kilmeston Road  
SO24 0NJ

**Matthew Tucker**

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**From:** [REDACTED]  
**Sent:** 05 January 2018 11:05  
**To:** Licensing  
**Subject:** Objection to Application for expansion and extension of Boomtown licence  
**Attachments:** BoomTown\_Festival\_UK\_Limited\_2018.pdf

I am a resident in Tichborne.

The application to increase numbers and extend the Festival by one day will have an impact on residents of Tichborne and surrounding areas.

Noise nuisance is a concern, as it appears the site will extend eastwards closer to Tichborne. Six nights of live music is unreasonable.

Traffic management is also a concern, as the local infrastructure cannot cope with the anticipated increase in vehicles.

Expansion of the Festival for up to six days would have an unreasonable impact on local residents, in terms of noise nuisance, and increasing numbers would create additional and traffic congestion after the final day of the Festival.

The festival takes place within the South Downs National Park, with higher standards of public nuisance control required there.

The application should be rejected.

Michele Hickman  
Stable Flat, Tichborne Park, Tichborne Alresford SO24 0NA

**Matthew Tucker**

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**From:** David Pain [REDACTED]  
**Sent:** 05 January 2018 14:26  
**To:** Licensing  
**Subject:** BOOMTOWN LICENCE APPLICATION  
**Attachments:** Objection to 2018 Boomtown application V5.docx

Dear Sirs,

Please find, attached, my representation regarding the application for a new premises licence. I would be grateful if you will confirm receipt.

Kind regards,

D.A. Pain  
Godwins Cottage  
Cheriton  
Alresford  
SO24 0PY



Virus-free. [www.avg.com](http://www.avg.com)

## BOOMTOWN LICENCE APPLICATION – DECEMBER 2017

### 1. History.

- 1.1 PREM500 was granted in 2007 to Mr Peveril Bruce and was used for Boomtown events up to 2013. Noise limits were measured at a distance of 1m from the façade of any noise-sensitive building.
- 1.2 In February 2014 a licence was granted to Boomtown Festival UK Ltd. (Boomtown) – PREM655 – which was used in 2014 and 2015. Noise limits were measured on a different basis (free field conditions at locations agreed between Boomtown and WCC).
- 1.3 On 13<sup>th</sup> April 2016, Winchester City Council (WCC) adopted at a full meeting of the Council, a Revised Licensing Policy in which are contained a number of amendments all of which were requested by the South Downs National Park Authority.
- 1.4 On 10<sup>th</sup> June 2016, WCC granted a new licence to Boomtown – PREM709 – which was used in 2016 and in 2017. Terminal times for regulated entertainment and noise limits are the same as in PREM655.

### 2. The Law

- 2.1 From time to time the **Home Office issues Revised Guidance** under section 182 of the Licensing Act 2003 because the Secretary of State must issue guidance (“the licensing guidance”) to licensing authorities on the discharge of their functions under this Act and **this Guidance is binding**. The most recent Guidance was issued in April 2017 which replaced the 2015 Guidance. Most of the Guidance is unchanged from issue to issue but some paragraph numbers change.
- 2.2 Under the heading **Licensing objectives and aims** these are paragraphs 1.2, 1.3 and 1.4 of the Home Office’s Revised Guidance (see 2.1): “The Licensing Act 2003 provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken: the Prevention of Crime and Disorder, Public Safety, the Prevention of Public Nuisance, and the Protection of Children from Harm. Each objective is of equal importance. **There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.**”
- 2.3 Section 5 of the 2003 Act requires a Licensing Authority, such as WCC, to determine and publish a statement of its licensing policy at least once every five years. **WCC most recently revised its policy on 13<sup>th</sup> April 2016** (see paragraph 1.3).
- 2.4 Section 62(2) of the Environment Act 1995 requires public bodies including licensing authorities such as WCC to have regard to the purposes of National Parks.
- 2.5 The Noise Act 1996 defines “night hours” as beginning at 2300 (11.00 pm)

### 3. Revised Licensing Policy adopted on 13<sup>th</sup> April 2016

- 3.1 There are several clauses which have relevance to this application, as follows.
- 3.2 In Section C: The Prevention of Public Nuisance, under **Noise Controls**, clause C4 was enhanced to include “**stricter conditions with regard to noise control will be expected for sites within the South Downs National Park which seeks to protect and enhance tranquillity**”, i.e. stricter than those in PREM655 which was in use when WCC adopted its revised policy.
- 3.3 Section C, clause C5 reads: “The Operating Schedule must have regard to the nature of the area where the premises are situated, the type of premises concerned,

the licensable activities to be provided, operational procedures and the needs of the local community. The Council will expect the Operating Schedule to demonstrate how it is intended that the premises will be "good neighbours" both to residents and to other venues and businesses and should have regard to guidance contained in the Good Practice Guide on the Control of Noise from Pubs and Clubs, March 2003 (produced by the Institute of Acoustics) and, where appropriate, the Code of Practice on Environmental Noise Control at Concerts (produced by the former Noise Council.)" As Boomtown is a concert or series of concerts this latter document is appropriate and paragraph 3.2 in it states: "For events continuing or held between the hours 2300 and 0900 the music noise should not be audible within noise-sensitive premises (includes residential premises) with windows open in a typical manner for ventilation." This is similar to how noise limits were measured in PREM500 but the Sub-Committee should question why there is a different method of measuring in subsequent licences and proposed in this application as this does not conform to its Revised Licensing Policy. Does it achieve the same outcome for local residents who live in noise-sensitive premises?

3.4 Section C, clause C9 states that "In all cases the Council will expect the applicant to propose practical steps as to how disturbance to local residents will be prevented....."

3.5 Section C, clause C10 states "For events of short duration at temporary venues, such as outdoor music festivals, where it is impractical to ensure compliance with such a condition, bespoke noise criteria may be specified to ensure the protection of residents from noise nuisance." (see 3.3).

4. **Home Office Revised Guidance issued under section 182 of the Act.**

4.1 There are several paragraphs in this binding licensing guidance which have relevance to the application, as follows.

4.2 Paragraph 1.12 states that "A licensing authority may depart from its own policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives. But once again, it is important that it should be able to give full reasons for departing from its published statement of licensing policy."

4.3 Paragraph 8.38 states "In completing an operating schedule, applicants are expected to have regard to the statement of licensing policy for their area." **However, the application does NOT mention the Council's Revised Licensing Policy.**

4.4 Paragraph 9.38 states "In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- The steps that are appropriate to promote the licensing objectives
- The representations (including supporting information) presented by all the parties
- This Guidance
- Its own statement of licensing policy.

4.5 Paragraph 10.4 states "The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule...." **Despite applying to increase the attendance capacity from 59,999 to 79,999 and to**

have higher limits for low frequency noise, no risk assessment has been provided as supporting evidence with the application.

4.6 Paragraph 10.5 states “It is not acceptable for licensing authorities to simply replicate the wording from an applicant’s operating schedule.”

5. **Relevant facts.**

5.1 In April 2016 WCC created a precedent by refusing an application from Boomtown for a minor variation to increase the attendance capacity in PREM655 from 49,999 to 54,998, an increase of 4,999. The first reason for refusal quoted by the Head of Environmental Health & Licensing in an email sent on 25 April 2016 (obtained under a Freedom of Information Act request) was because “the applicant failed to demonstrate that the additional audience capacity could not have a detrimental impact on the licensing objectives.” The second reason was that “in the view of the Highways Authority the additional vehicles arising from the increased attendance could have an adverse impact on the local highway network. It is the licensing authority’s position therefore that this could present a public nuisance, in particular as a result of congestion caused near the site by vehicles egressing the event” (on Mondays).

5.2 The application proposes significantly higher attendance numbers (up from 59,999 in year 2017 to 76,000 in year 2018 and to 79,999 in year 2019). However, there is no supporting information about the inevitable increase in the number of vehicle movements and how a detrimental impact on the licensing objectives could be avoided (see 5.1).

5.3 **This application ignores these critical facts:**

a. the site is within the South Downs National Park, of which there is no mention,

b. the Revised Licensing Policy adopted on 13<sup>th</sup> April 2016, of which there is also no mention, in which the amended clause C4 (see 3.2), clause C5 (see 3.3), clause C9 (see 3.4), and C10 (see 3.5) are of particular relevance. This does not comply with paragraph 8.38 of the binding licensing guidance (see 2.1 and 4.3).

5.4 Proposed condition PN11 in the application contains noise levels for low frequencies (whose bass noise travels further) which are either 3dB or 5dB higher than the 65dB level at all times which is in PREM655 and 709. Because the decibel scale is not linear but logarithmic this means that an increase of 3dB over 65dB is not 4.6% higher but is actually double and an increase of 5dB over 65dB is not 7.7% but is actually almost quadruple the sound intensity permitted in PREM655. The application includes no supporting evidence to explain how this proposed condition could not have a detrimental impact on the Prevention of Public Nuisance licensing objective or how it would comply with clauses C4 and C5 in the Revised Licensing Policy (see also 5.11).

5.5 The application proposes that regulated entertainment be permitted on one additional night (Wednesday) until midnight which would cause additional public nuisance for local communities with whom WCC expects an applicant to demonstrate how it would be “good neighbours” (see 3.3).

5.6 The terminal times for live and recorded music in the operating schedule of PREM655 (the licence in force on 13<sup>th</sup> April 2016) were midnight on Thursdays and Sundays and 4.00 am on Saturdays and Sundays. Under the terms of the Revised Licensing Policy adopted on that date, the conditions for noise control should have become stricter because the site is within the South Downs National Park, which seeks to protect and enhance tranquillity (see 3.2). However, the application proposes the same terminal times as those in PREM655 and does not,

therefore, comply with clause C4 in the Revised Licensing Policy which expects "stricter conditions with regard to noise control." **Terminal times should be earlier in order to comply.**

- 5.7 The two conditions which contain noise limits expressed using the decibel scale in PREM655 were PN7 and PN8. The equivalent proposed conditions in the application are PN10 and PN11. However, PN10 is precisely the same as PN7 in PREM655 and, therefore, is not "stricter" (see 3.2). **PN11 is not the same as PN8 in PREM655 but, actually, is less strict as the proposed decibel limits would generate sound intensity of either double or almost quadruple those in PREM655.** Thus, in this respect also, the application does not comply with clause C4 of the Revised Licensing Policy.
- 5.8 There is no supporting evidence to explain how the applicant proposes to comply with paragraph 3.2 of the Noise Council's Code of Practice on the Control of Environmental Noise Control at Concerts to control music noise after 2300 on all nights such that it could not be heard in noise-sensitive premises with windows open in a typical manner for ventilation (see 3.3). Nor is there any supporting evidence to explain how clauses C9 and C10 (see 3.4 and 3.5) of the Revised Licensing Policy would be adhered to.
- 5.9 There is no evidence provided to indicate that a risk assessment has been undertaken and used to create proposed conditions appropriate for the promotion of the licensing objectives (see 4.5).
- 5.10 Proposed condition PN6 in the application refers to a Noise Management Plan (NMP) and states that the "NMP must include all of the arrangements for preventing public nuisance and consultation with the local community....." What are the "arrangements" and where are they? There is no mention of an NMP in the Act, or in the binding licensing guidance, or in the Revised Licensing Policy and, thus, such a document does not have any legal status. **The Sub-Committee must be satisfied at the hearing that granting the application would be "promoting the licensing objectives in the overall interests of the local community" (see 4.4).** How can it do so when it does not know what arrangements would prevent public nuisance?
- 5.11 Research has unearthed the fact that **the only other major music festival taking place in an English national park is 'Kendal Calling' in Eden District, Cumbria, in the Lake District National Park.** The premises licence (012420) defines the site capacity as 34,999 and the event runs from Thursday to Monday. **Live and recorded music from outdoor stages must terminate at 2300 on all nights. After 2300 Low Frequency Noise shall be limited to an external level at noise sensitive premises of 62dB in any third octave band between 25 and 160 Hz. It should be noted that this is lower than the present limit of 65dB for Boomtown in PREM655 and 709 but the application is for an increase to 68dB.**
- 5.12 **Terminal times for regulated entertainment.** Neither the Home Office Guidance or the Council's Revised Licensing Policy contain guidance on terminal times. However, the Policy contains a reference to the Noise Council Code of Practice in paragraph 3.2 of which it is made clear that after 2300 lower noise limits should be imposed (see 3.3). Similarly, the Guidance includes reference to the Noise Act 1996 in which "night hours" begin at 2300. Thus, the only two references relevant to terminal times are that 2300 is when "night hours" begin and lower noise limits should be imposed.



**6. The application should be refused for these reasons.**

- 6.1 The applicant has failed to demonstrate that the additional audience capacity could not have a detrimental impact on the licensing objectives, specifically on the **Prevention of Public Nuisance caused by traffic congestion** (see 5.2).
- 6.2 The application ignores the existence of the Revised Licensing Policy, specifically clauses C4, C5, C9 and C10 under **Noise Controls**, and this does not comply with paragraph 8.38 of the **binding licensing guidance** (see 4.3), which is similarly ignored.
- 6.3 Rather than complying with clause C4 in the Revised Licensing Policy by proposing “stricter conditions with regard to noise control” (because the site is within the South Downs National Park, which seeks to protect and enhance tranquillity) the application proposes the same terminal times for regulated entertainment and less strict conditions for noise levels than those in PREM655 (see 3.3 and 5.12).
- 6.4 **The proposed increase from 65dB to 68dB for low frequency noise after 2300 in PN11 is dissimilar to the premises licence for ‘Kendal Calling’ in the Lake District National Park where the limit is reduced to 62dB (see 5.11). This proposed increase would have a detrimental impact on the Prevention of Public Nuisance caused by live and recorded music noise.**
- 6.5 The proposed Operating Schedule fails to demonstrate how this event would be “good neighbours” to residents in local communities as expected by WCC and defined in clause C5 of the Revised Licensing Policy (see 3.3).
- 6.6 **The applicant proposes one additional night of regulated entertainment on Wednesdays which would exacerbate noise nuisance for local communities and would not promote the licensing objectives (see 5.5).**
- 6.7 In combination 6.2, 6.3, 6.4, 6.5 and 6.6 illustrate how the applicant has failed to demonstrate that in terms of noise nuisance this application could not have a detrimental effect on the **Prevention of Public Nuisance licensing objective**.
- 6.8 There is no evidence of a risk assessment having been provided by the applicant which is contrary to paragraph 10.4 of the binding licensing guidance (see 4.5 and 5.9). Therefore, approving the proposed conditions and Operating Schedule would be unsafe.
- 6.9 There is no NMP and proposed condition PN6 is unachievable (see 5.10).

**7. Conclusions.**

- 7.1 **Winchester City Council has a legal responsibility to apply the law by adhering to the binding Revised Guidance issued by the Home Office in April 2017 under section 182 of the Licensing Act 2003, to adhere to its own Revised Licensing Policy adopted on 13<sup>th</sup> April 2016, to the Environment Act 1995 and to the Noise Act 1996.**
- 7.2 **Approval of the application would not promote the four licensing objectives (in particular the Prevention of Public Nuisance relating to music noise and to traffic congestion), which is a paramount consideration at all times, and such a decision would not comply with the Council’s own Revised Licensing Policy.**
- 7.3 This representation contains ample evidence why the application should be refused.



**Matthew Tucker**

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**From:** Simon & Penny Scott [REDACTED]  
**Sent:** 05 January 2018 20:10  
**To:** Licensing  
**Subject:** Boomtown Licence Application December 2017

Dear Sirs

I refer to the above licence application. I support the objections of Cheriton Parish Council, and the SDNPA, and believe the application should be refused for the following reasons:

1. The applicant has failed to demonstrate that the additional audience capacity could not have a detrimental impact on the licensing objectives, specifically on the Prevention of Public Nuisance caused by traffic congestion.
2. The application makes no reference to the Revised Licensing Policy, specifically clauses C4 and C5 under Noise Controls, as required in paragraph 8.38 of the Home Office Guidance.
3. Rather than comply with clause C4 in the Revised Licensing Policy by proposing "stricter conditions with regard to noise control.." (because the site is within the South Downs National Park) the application proposes the same terminal times and less strict conditions for noise levels than those in PREM655.
4. The applicant proposes that one additional night of regulated entertainment on Wednesdays should be allowed which would exacerbate noise nuisance for local communities and would not promote the licensing objectives.
5. The applicant has failed to demonstrate that in terms of noise nuisance this application could not have a detrimental effect on the Prevention of Public Nuisance.
6. There is no evidence of a risk assessment provided by the applicant contrary to paragraph 10.4 of the Home Office Guidance.
7. There is no Noise Management Plan and the proposed condition PN6 is not achievable.
8. Approval of the application would be in contravention of the statutory duty of the Licensing Authority under S 62(2) of the Environment Act 1995 to attach greater weight to the purpose of conserving and enhancing the natural beauty wildlife and cultural heritage of the area comprised in the National Park where there are conflicting interests, as in this instance.

Yours faithfully

Simon Scott

--  
Simon Scott  
Burnt Platt  
Cheriton  
Alresford  
Hampshire SO24 0PY  
[REDACTED]

**Matthew Tucker**

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**From:** WILLIAM LOADER [REDACTED]  
**Sent:** 06 January 2018 12:27  
**To:** Licensing  
**Subject:** BoomTown

BoomTown

I wish to support the proposed changes to BoomTown licencing.

In order to provide some credence to my representation I would like to add a brief background. I am a 71 year old who has lived within two miles of the BoomTown site for over ten years and my family for over 50 years. I visited to festival for the first time with my wife on the Saturday and Sunday of the 2017 festival. From my current address I can see some illuminated parts of the festival site and of course if I listen carefully I can hear it.

Crime and Disorder and Public Safety

From first hand experience the festival is very well organised, managed and policed both within and outside the perimeter at the site. This venue is well able to cater for the suggested expansion in numbers. At no time did my wife or I feel in any way threatened.

Prevention of public nuisance

The nuisance element of any festival will be the increased traffic to and from the site and noise levels on the surrounding areas. Over the years these elements have been continually improved and controlled at this national festival.

The traffic levels have been minimised by the use of shuttle busses and the increased use of these will go some way in mitigating future problems. The segregation of festival traffic on the A31 has successfully reduced the impact on through traffic. It is fortunate that the B3047 which runs from Alresford to Winchester but on the other side of the Itchen valley can be used by local residents instead of the A31. By opening a day earlier for a limited number can only help in minimising local traffic disruption. Traffic levels during the festival are little changed from the norm.

Increased noise levels during the times and at the levels suggested are minimal and should not be discernible.

William N. Loader  
1 Graces Farm Cottages  
Martyr Worthy

**Matthew Tucker**

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**From:** Simon Scott [REDACTED]  
**Sent:** 06 January 2018 14:33  
**To:** Licensing  
**Subject:** Boomtown Licence Application December 2017

Dear Sirs

With reference to the above licence application I wish to OBJECT to the application for the reasons already submitted by Cheriton Parish Council; and also those of the South Downs National Park Authority in their letter to yourselves dated 21 December 2017.

Yours faithfully

Penelope Scott

Penelope Scott  
Burnt Platt  
Cheriton  
Hampshire SO24 0PY  
Tel 01962 771 263

**Matthew Tucker**

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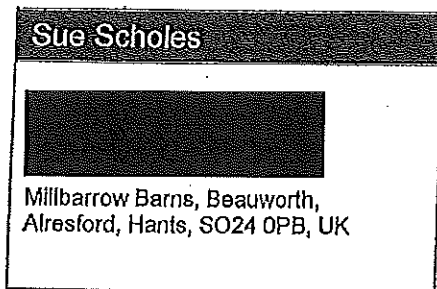
**From:** Sue Scholes [REDACTED]  
**Sent:** 07 January 2018 13:34  
**To:** Licensing  
**Subject:** Re: Boomtown Festival UK Limited, 9 Bank Road, Kingswood, Bristol, BS15 8LS, application for New Premises Licence, Boomtown Festival, Matterley Bowl, Alresford Road, Winchester, Hampshire.  
**Attachments:** Matterley Bowl - new licence application objection letter 2018.pdf

Dear Sirs,

I attach our letter of objection to the application for a new premises licence for the Boomtown Festival at Matterley Bowl, the text of which is also given below.

Yours faithfully

Sue Scholes



Winchester City Council  
Licensing Section  
City Offices  
Colebrook Street  
Winchester SO23 9LJ

5<sup>th</sup> January 2018

Dear Sirs

**Re: Boomtown Festival UK Limited, 9 Bank Road, Kingswood, Bristol, BS15 8LS, application for New Premises Licence, Boomtown Festival, Matterley Bowl, Alresford Road, Winchester, Hampshire.**

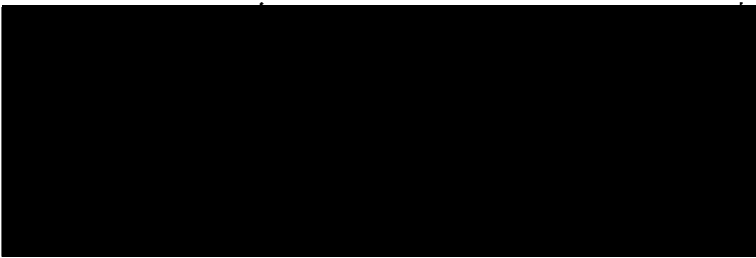
We are writing concerning this application for a new licence to replace the current licence, PREM709, by increasing the attendance limit to 75,000 for 2018 and 79,999 from 2019. We object to this application on the following grounds:

There have been at least 4 deaths at Boomtown in past years from drug use – more festival goers and extending the length of the Festival make it likely that more drugs will be sold, and possibly more fatalities, in addition to petty theft.

Winchester City Council adopted a Revised Licensing Policy on 13<sup>th</sup> April 2016, and this application is not consistent with that policy, in that there are stricter requirements for noise control as the site is within the South Downs National Park.

For the above reasons, we ask that this application be refused.

Yours faithfully



*Susan and John Scholes  
Millberrow Barns  
Beauworth  
Alresford  
Hants SO24 0PB*

Winchester City Council  
Licensing Section  
City Offices  
Colebrook Street  
Winchester SO23 9LJ

5<sup>th</sup> January 2018

Dear Sirs

**Re: Boomtown Festival UK Limited, 9 Bank Road, Kingswood, Bristol, BS15 8LS,  
application for New Premises Licence, Boomtown Festival, Matterley Bowl,  
Alresford Road, Winchester, Hampshire.**

We are writing concerning this application for a new licence to replace the current licence, PREM709, by increasing the attendance limit to 75,000 for 2018 and 79,999 from 2019. We object to this application on the following grounds:

**1. Prevention of Public Nuisance.**

Increase in vehicle movements

The proposed license area, for which planning permission does not yet exist, would be considerably larger than the current licensed area.

This application would considerably increase the number of vehicle movements on and around the Matterley Bowl.

The extra traffic generated by the proposed increase in numbers will add to the already considerable public nuisance caused by the size of this event, which has increased hugely since its inception in 2009.

The event causes gridlock on the A272 and the A31, and the surrounding lanes, especially at the end of the festival, when the majority of vehicles attempt to leave at the same time. Vehicles queue up to the M3/A34 roundabout; there is no right of way for traffic entering from the Spitfire roundabout, this is the only road where there are no traffic lights to give priority to vehicles entering the roundabout, therefore it's extremely difficult to enter it.



At normal rush hour the delays can be considerable, during the Festival they can last for hours.

The extensive gridlock throughout the area's main and minor roads causes is hugely detrimental to the local economy and causes massive inconvenience to residents and those non-festival goers attempting to pass through the area. The proposed additional numbers will only add to this nuisance.

### Noise

- a) This application also seeks to increase the area where music can be played, moving it much closer to surrounding settlements such as Cheriton, Titchborne, Beauworth & Kilmeston.
- b) The applicant is also seeking to increase the permitted noise levels, with low frequency levels higher than at present. This will undoubtedly increase the noise nuisance. Noise from the 2017 Motocross of Nations, with only one stage, could be heard in surrounding villages, despite assurances from Winchester's Environmental Health Manager that this would not be the case.

### Extension of the length of the Festival

The applicant seeks to increase the length of the Festival by one day, thereby increasing the traffic congestion by an extra day, and increasing the public noise nuisance for surrounding residents to 5 nights instead of the current 4.

## **2. Public Safety**

The proposed increase in numbers also impacts on public safety – the sheer volume of traffic, many of which are large vehicles, unsuited to narrow lanes and driven by people who are unfamiliar with the locality, creates conditions for accidents.

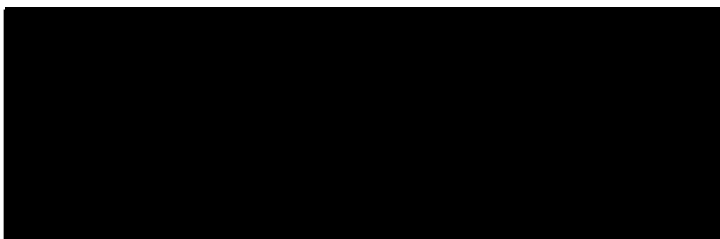
## **3. Crime and disorder.**

There have been at least 4 deaths at Boomtown in past years from drug use – more festival goers and extending the length of the Festival make it likely that more drugs will be sold, and possibly more fatalities, in addition to petty theft.

Winchester City Council adopted a Revised Licensing Policy on 13<sup>th</sup> April 2016, and this application is not consistent with that policy, in that there are stricter requirements for noise control as the site is within the South Downs National Park.

For the above reasons, we ask that this application be refused.

Yours faithfully



Manor Farm,  
Hinton Ampner,  
Alresford,  
Hants  
SO24 0LE

Licensing Section  
Winchester City Council  
City Offices  
Colebrook Street  
Winchester  
SO23 9LJ

7<sup>th</sup> January 2018

Dear Sir or Madam,

**RE: application from BoomTown Festival UK Limited, 9 Bank Road, Kingswood, Bristol, BS15 8LS, for a new Premises Licence for Matterley Bowl, Alresford Road, Winchester, Hampshire.**

I farm 900 acres of land about miles east of the Matterley Bowl, and I wish to object to the granting of a new Premises Licence to Boomtown Festival UK Ltd for the following reasons:

• *The prevention of crime and disorder*

At the best of times, the level of rural law enforcement in central Hampshire can be described as 'thin'. During the Boomtown Festival, this level drops to 'negligible' as all available police resources are drawn inexorably into the Matterley Bowl. I have been told by a Police Constable that when it comes to proactive crime prevention, we are 'on our own' for that weekend. This is a dispiriting prospect as the rural crime wave sweeping the county shows no sign of lessening.

Making the Boomtown Festival larger would make this problem even worse.

• *The prevention of public nuisance*

Boomtown Festival UK's application can be summed up in three words: 'louder for longer'. For those of us trying to get some sleep at 3.30am during the period of the year when sleep is most needed (harvest), this is a terrifying prospect. The west-facing sash windows in our old farm house were literally shaking in their casings last year as the bass notes thumped over the horizon. It is astonishing to read the proposal (cleverly shrouded though it is in technical gobbledegook) to make the bass notes even louder, and to read that it might be going on for more nights than it has in previous years. Sleep deprivation is, after all, one of the most antisocial acts man can inflict upon man.

In summary, the Boomtown Festival plays havoc with my job. It is a time of year when I am trying to send grain lorries along the A272 with my harvest produce. I am

working long hours maintaining and driving complicated harvest machinery. At its present level, the Festival is only just bearable ("It's only for one night" I kept repeating to myself as the bedroom shook, just a couple of hours before I had to get up and go combining again). For my sake, and for the sake of the many, many others who have the misfortune to live nearer to the Bowl than I do, I ask the City Council to reject Boomtown Festival's application.

Yours faithfully,  
Charlie Flindt.

**Matthew Tucker**

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**From:** Techer Jones [REDACTED]  
**Sent:** 07 January 2018 18:37  
**To:** Licensing  
**Subject:** Boomtown licence application  
**Attachments:** 180107boomtownlicence.docx

I attach my comments relating to the licensing application by Boomtown. I have put a signed paper copy into the WCC letter box at Colebrook Street this evening.

Regards

Terence Jones  
Longwood View, Lane End, Owslebury, Winchester SO21 1JZ [REDACTED]  
[REDACTED]

**Longwood View, Lane End,  
Owslebury, Winchester,  
Hampshire SO21 1JZ**

Licensing Section  
Winchester City Council  
City Offices  
Colebrook Street  
Winchester SO23 9LJ

7<sup>th</sup> January 2018

Dear Sir/Madam

**Application by Boomtown Festival Limited for a new premises  
licence for Matterley Bowl, Alresford Road, Winchester**

We live at a point about 2500 metres from the Boomtown fence. We have lived in this house for over 30 years and so are well aware of what life was like before Boomtown.

I have several points that I would wish you to take into account when considering the above application. They are detailed below, however, my hoped-for minimum key outcomes are:

- There must be no increase in the licence beyond the existing limit of 59,999 people
- There must be no increase in noise levels, indeed noise levels must be decreased after 11pm
- The request for an additional day of the festival must be declined
- Because of the drugs risk, children under 18 should not be admitted, even if accompanied by an adult.
- Holding pens for arriving traffic to ease road blockages
- If any licence is granted, it must not extend beyond the 31<sup>st</sup> December 2019 so as to be co-terminus with the temporary planning permission granted to part of the proposed site by the South Down National Park authority.

## **My views on the need for the Licensing Sub Committee to take a broader view**

1. The Licensing Sub Committee is guided by the WCC Revised Licensing Policy adopted 13<sup>th</sup> April 2016 which focuses on four areas:
  - Prevention of crime and disorder
  - Public safety
  - Prevention of public nuisance
  - Protection of children from harm
2. I attended the Licensing Sub Committee meeting on 29<sup>th</sup> August 2017 relating to the licensing of the motocross event at Matterley Farm. I brought the committee's attention to the fact that part of that event was to take place on land, which did not have planning permission for the event. I was told in no uncertain terms by the chair that your committee cannot take into account planning permissions. I have since done more research. I would draw your attention to the revised guidance issued under S 182 of the Licensing Act 2003 issued in April 2017 para 9.45 which states that: - *Where businesses have indicated, when applying for a license under the 2003 Act, that they have also applied for planning permission or that they intend to do so, licensing committees and officers should consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.*
3. Some weeks ago, Mr Peveril Bruce bought additional land that adjoins his existing Matterley Farm. That additional land (for shorthand Ovington Down Farm) is included in the plan attached to the licensing application before you. I believe (though personal discussion with him) that Mr Bruce intends, as he is entitled to do, to apply for planning permission for this additional land, but, so far as I am aware, this has not yet been done. As the above guidelines dictate, I believe that you must liaise with the South Down National Park (SNDP) planning authority over this matter and in the meantime, it would be wrong for you to (a) assume that additional planning permission will be granted for the additional land and (b) to licence any activities on that additional land (Ovington Down Farm) until and unless planning permission has been granted.
4. One of your staff, Matt Tucker, very helpfully attended a public meeting at Itchen Abbas village hall arranged by Councillor Jackie Porter. He was polite and helpful in what must have been, for him, a difficult afternoon. I asked him what comparisons your licensing team had made when drawing up guidelines for this festival. I hope I report him correctly when he said, so far as he was aware, your team had done none of the following.

5. I believe that members of your sub committee should make enquiries to enable you to benchmark the licensing of Boomtown against other similar festivals and events.
  - You should ask what events of similar size and duration occur in other national parks
  - You should enquire what the policies are for like events in other national parks, including policies regarding noise levels and timing of music.
  - You should liaise with the appropriate authorities that license similar events to benchmark your conditions with theirs. I suggested Glastonbury and the Great Dorset Steam Fair as perhaps appropriate comparatives perhaps, but no doubt you might consider others.
6. My point is that this is a national festival, which just happens to be on our doorstep. I believe you have a duty to the citizens of Winchester to ensure that you are not being overly generous in the licensing terms you grant when compared to similar events or may be omitting to control matters which others deem necessary. You should be cognisant of how such applications are dealt with in other National Parks and other areas. By not having such knowledge, and by not benchmarking, I believe you are acting without sufficient information (and therefore at risk) and are possibly failing in your duties to the citizens of Winchester who elect you.
7. You are aware that the existing planning permission is a temporary one and lapses on 31<sup>st</sup> December 2019. No licence you grant should extend beyond that date, nor should there be any implication that licensing permissions or conditions would or might be continued beyond that date. It is important that the planning and the licensing conditions are reviewed as a whole matter following the lapse of the temporary planning permission granted by SDNP.

### **Matters I would like you to consider under Prevention of Crime and Disorder**

My main objection to Boomtown is driven by the damage it does to the natural environment. The banks of the actual bowl within the site is host to a number of rare butterflies, for example the Small Blue which has its second brood at exactly the time the festival will be taking place. I will draw your attention to only one species and elaborate more in appendix A. The area between Cheesefoot Head and Gander Down (which is broadly the area of the festival) is one of the last strongholds in Hampshire of a nationally endangered bird – the Corn Bunting. This is a Red Listed bird and has the highest level of protection under the Wildlife and Countryside Act 1981. It is illegal – with penalties including imprisonment – to disturb this and other Schedule One Red Listed species. It is my contention that, as officers of Winchester City Council, you are failing in your duties under this Act by granting any licence

whatsoever for this site. To assist in disturbance is a crime under the Act. Granting of a licence could well be construed as assisting in disturbance.

### **Matters I would like you to consider under Public Safety**

1. A detail, but not to be overlooked. I refer to item PS2 in the proposed schedule attached to the application. This (with caveats) prohibits animals on the site for 28 days before the commencement of the event. I totally agree with it except that one area of the site, as defined by the attached map, includes the South Downs Way. I am aware that the promoters do make arrangements for temporary diversion of the South Downs Way around the festival dates. However, as the proposed document stands, it would prohibit members of the public from walking their dogs or riding their horses along the South Downs Way for 28 days before the festival. This cannot be allowed. The South Downs Way is a national bridleway and public right of way. Its users are already inconvenienced by the presence of this festival and they must not be further inconvenienced and prohibited from lawfully being allowed to walk their dogs or ride their horses for this period. The schedule must be amended to reflect this.

The remainder of my points under Public Safety all relate to traffic and traffic management. I would like you to recognise that I have lived in this house – one of the closest to the site – for over thirty years and am very familiar with the lanes and road concerned.

2. The proposed increase in attendees from 59,999 to 76,000 in 2018 is an increase of, say, 16,000 people. Let's accept that the targeted 25% of these use the provided bus services. The promoters' encouragement to use public transport to the site is laughable. With the exception of one bus an hour (if lucky) there is none. That will leave 12,000 additional people to access the site. If there are two people to a car, that will be an additional 6,000 car journeys into the site and 6,000 car journeys leaving the site. Even if there are 4 people per car, 3,000 additional journeys in and 3,000 out. This is beyond the local road capacity. Last year some traffic was reportedly waiting for up to ten hours. The Sub Committee must recognise that, despite the primary access being from the A31 and A272, many many cars and larger vehicles are directed through the narrow lane from Morestead, through Longwood. Furthermore, experience tells me, that whatever official routes are suggested, there is always a percentage of motorist who try and beat the system using satnav, ignoring signs and tying up local roads.
3. At the 21<sup>st</sup> December meeting at Itchen Abbas village hall, one of Boomtown's Directors, Lak Mitchell, told me that they hope this year to have some traffic accessing the site using Rodfield Lane. As this uses land for which planning permission is not granted, I would hope that this will not be allowed. However, if it is allowed you should be made



aware that Rodfield Lane runs for about 4Km between the A31 at the north end and the A272 at the south end. It is a single track road with very few passing points. It is very bendy and there are blind points at a number of hill tops. If Rodfield Lane is to be used, for the sake of safety, it must be made a one-way street for the duration of the festival. Ideally this would be allowing traffic to run from south to north. To facilitate this, traffic lights should be placed on the A272 at the junction. I would warn members of the sub-committee who may not be familiar with it, that the junction between Rodfield Lane and the A272 at the south end of the lane is absolutely blind. Exiting Rodfield Lane at this end is extremely dangerous. The sight line to the right is no more than about 30m and it is just below the brow of a hill on the A272. In my view, festival traffic must simply not be allowed to exit Rodfield Lane at the south end. I have lived here for over 30 years and almost never use that exit for safety reasons – I rather drive around via Alresford, a detour of about 5 miles, to reach my house. As a condition of licensing, Rodfield Lane should be made one way running south to north with temporary traffic lights on the A272/Rodfield Lane junction.

4. One of the official routes takes festival traffic off the M3 and diverts it through Morestead, turning right through Longwood, left at Lane End Down crossroads, then left onto the A272 and thus to gate K which is positioned on the A272.
5. There is always a problem at gate K. This is caused by the festival staff directing traffic and checking tickets immediately as traffic leaves the A272. Inevitably there are hold ups as people have come to the wrong gate or have the wrong ticket, or simply do not have their ticket to hand. This creates long hold-ups on the A272 and through Longwood. The system that prevails at the Great Dorset Steam Fair where similar traffic levels are on the A354, is that all cars are directed off the A354, drive over two fields of stubble, and are then in car parks where tickets are checked. Traffic on the A354 remains slow, but it does move. I have discussed with Mr Bruce, the concept that the vehicles should be allowed to drive off the A272 into a holding area that is well off the A272 and I think he has some sympathy. To be fair, I think they tried this in 2017, but there were problems and the holding area was too small. A condition of licensing for 2018 is that there must be a significantly larger holding area off the A272 and that no checking of tickets should take place at all with a given distance of the A272. The fields behind gate K are currently planted with winter wheat and this crop should be well off the field by the time of the 2018 festival. This creation of a large holding area should be made mandatory under any licence you grant. I am not so familiar with the situation regarding traffic leaving the A31, but I suspect a similar holding pen arrangement would be beneficial there.
6. In previous years there has been a 40mph temporary speed limit, and temporary traffic lights on the A272 at gate K. In my view these are both essential for safety and should be a condition of the licence.

7. Two years ago there were temporary four-way traffic lights at the crossroads on Lane End Down. These were not in place in 2017, and, again for safety reasons, I would very much like to see them reinstated.
8. Sub Committee members may not be familiar with the road through Longwood. It is narrow windy and predominantly runs through woodland. As the traffic coming towards the site backs up to gate K, in previous years, the festival goers have decided to form a second lane on this road. In other words, they completely block any traffic going through that Longwood Road towards Owslebury. It might be safer to actually make that an official one-way road running between the Owslebury crossroads and the Lane End crossroads and until, say, the Sunday of the festival. If this were done, then Longwood Dean Lane should be made 'access for householders only' (this is little more than a metalled cart track and very narrow and windy and has a blind exit at the southern end) and traffic going from the Cheriton direction be re-directed through Beauworth travelling towards Owslebury past the Milbury's crossroads to Stephens Castle Down crossroads.

#### **Matters I would like you to consider related to Public Nuisance**

1. The application for the festival to be extended to include Wednesday should be declined. Local residents should not be subjected to yet another day and night of noise and inconvenience.
2. To allow this Wednesday extension would contravene the planning permission SDNP/15/06486/FUL which restricts the festival to four days.
3. The applicant's request to increase decibel levels (PN10 and PN11) should be refused. The application to increase the bass decibel levels by 5db is particularly unacceptable. I am sure that Sub Committee members are aware that increments in decibels measurements are on a logarithmic scale. So a 5 point increase could, given certain circumstances, be a 3x or even 5x increase in perceived noise levels. It is the bass thud thud thud that makes life intolerable for us residents for the duration of the festival. The bass noise carries furthest and that is why foghorns are at bass levels. It simply must not be allowed to increase. Furthermore, the proposed increase in levels between 2100 and 2300 should not be allowed.
4. I will not repeat this so that Sub Committee members do not have to re-read it, but I totally agree and support the submission you have had from David Paine where he goes into detail about the Environment Act, the Noise Act and the role of the National Park to conserve peace, quality of life, darkness, wildlife. This whole festival is totally contradictory to the aims of the national park in which it is located. I endorse the submission you have had from David Paine. Your own rules on noise control (Section C4) state that " stricter conditions with

regard to noise control will be expected for sites within the South Downs National Park which seeks to protect and enhance tranquillity". Please enforce your own rules in respect of this application.

5. As I stated above, in recent months Mr Peveril Bruce has bought additional land (Ovington Down Farm) that adjoins Matterley Farm. This he perfectly entitled to do and I can see the sense in farming terms. This means that he now owns all the land in the triangle between the A31, the A272 and Rodfield Lane. The map in the application before you includes this new land that, as yet, does not have planning permission. The concern is that, if stages or other events take place on this new land, they will be on high land which is considerably closer to the settlements of Lane End and Longwood, Cheriton, New Cheriton, Kilmeston, Beauworth and Tichborne. I believe that to protect these areas from increased risk of noise pollution, any license granted must specify that no stages or other noise producing events take place in the area that lies outside the existing area covered by planning permission.
6. Public nuisance will be created by the additional traffic generated (see my Public safety 2 above). Up to 12,000 vehicle movements on already crowded roads would be unacceptable.
7. In the application item PNG is typical of the cavalier way in which Boomtown address the needs of local residents. The idea that the Premises Licence Holder will make available a Public Information Document 7 days before the event is laughable. This should be made available at least 28 days before the event. The event management should also be made to say how Boomtown would ensure that this document reached all householders. The document must give details of phone numbers to call before, during and after the event on a 24 hour basis for complaints about noise, traffic, litter or other problems and its effectiveness must be monitored by your Sub Committee.

### **Matters I would like you to consider relating to the protection of children from harm**

The applicant has put into its proposed schedule of licence conditions (item CH5) that " No person under the age of 18 shall be permitted on the premises unless accompanied by an adult". That is good.

WCC's prevailing April 2016 licensing policy (page 31, sections D6 and D7) says

" The Council will take strong measures to protect children from harm. .... Examples of premises where the introduction of additional controls are likely to be necessary include. .... a known association with drug taking or dealing... it may sometimes be necessary to impose a

complete prohibition...the council would nominally require age limitations below 18 ...[and] requirements for accompanying adults”

My view is this:

There have been drug-related deaths at Boomtown in 2011, 2013, 2014 and 2016. I accept that the organisers strongly discourage drugs and organise sniffer dogs. But from people I know who have attended in 2017, it is clear that there were drugs freely available. In 2017 the organisers arranged a testing station so that individuals could check the safety of drugs they had bought or brought with them. They tested 1,132 samples (source: [www.vice.com](http://www.vice.com)). I also believe (Southampton Echo) that around £178,000 worth of drugs was seized at the 2017 event.

I encourage the organisers in their actions to prevent drugs. However, by arranging sniffer dogs and testing services, they admit that drugs are available and are a problem. Until the organisers can ensure a drug free environment, I believe that people under 18, even when accompanied, should be excluded from Boomtown to safeguard them from exposure to drugs and to people using drugs.

I would like you to refer this view to the Children's' Services Department of Hampshire County Council. I think it is in the public interest that their view be made available to your Sub Committee before your hearing and that their view should be a matter of public record.

Yours faithfully

Terence Jones  
(known as Techer)

By e-mail, a signed paper copy has been posted at the letter box in Colebrook Street

**Appendix A to Terence Jones' letter of 7<sup>th</sup> January 2018 regarding the licence application for Boomtown**

**Objections on the grounds that the activities proposed are damaging to the wild life of the National Park and in particular a number of Red Listed bird species.**

I am a lifelong birdwatcher and member of several national and local wildlife organisations.

Between 2007 and 2011, the British Trust for Ornithology had over 40,000 volunteers making regular surveys of areas of the whole British Isles. The survey entailed walking the same route on many timed occasions and recording what birds were present. The national results have been published in the BTO's Bird Atlas 2007-2011 with a more detailed Hampshire publication – the Hampshire Bird Atlas 2007-2012 published by the Hampshire Ornithological Trust. I was one of those surveyors. I covered three tetrads (2km x 2km squares) in this area. This is broadly between Lane End and Cheesefoot Head, and broadly between the A272 and the A31. This included most of the connecting farms of Jo Corbett, Charlie Corbett, Robert Young and Peveril Bruce. I continue to undertake a number of bird surveys.

When the planning application regarding Matterley was put to the SDNP, it included an ecological survey that was severally lacking in several respects. I could detail these if you wish, but suffice to say that, as a licencing committee, if you were to impose a condition that a full ecological survey must be carried out on a regular (probably monthly) basis for at least two years by a competent organisation (such as the Hampshire and Isle of Wight Wildlife Trust), I would be delighted.

In respect of Boomtown I am especially concerned with three species: Corn Bunting, Lapwing and Yellowhammer. I will focus only on the Corn Bunting.

The Corn Bunting *Emberiza calandra* is a bird of arable chalklands. The UK population has declined by 90% between 1970 and 2010 (see above atlases or BTO website for verification). In Hampshire the recent atlas defines it as “a scarce and declining resident which has declined by over 80% since 1991”. The atlas goes on “Two areas stand out as holding the highest numbers. These are the Cheesefoot Head/Longwood Warren/Gander Down area and [the other is Martin Down in NW Hants].” I and other reliable observers used regularly to see Corn Bunting in the car park at Cheesefoot Head and also on the South Downs Way as it crosses Gander Down (map ref SU555275). The proposed area for Boomtown is precisely in between these two points. The Corn Bunting is a ground nesting bird. It is also a late nesting bird and so in August there will be fledglings around. The fact that this area is one of the few remaining places in Hampshire where the Corn Bunting is managing to hang on is reason alone to decline the application.

There are two national bird recording websites, BirdTrack (run by the British Trust for Ornithology) and Going Birding. On both sites, the recording of

sightings of Corn Bunting in this area has decreased considerably since 2013. My own personal sightings are now extremely spasmodic. This drop in sightings coincides exactly with the growth of attendees at Boomtown.

DEFRA works in conjunctions with the main bird organisations RSPB BTO etc. and the county Wildlife Trusts to implement the protections granted under the Wildlife and Countryside Act 1981. There are series of levels of warning levels for birds, butterflies and so on at risk. Schedule one, red level is the highest level of risk. The Corn Bunting (and at least 11 other birds recorded on the Boomtown site) has this Schedule One, Red Level highest level of protection. To disturb the bird at all, or to play a part in disturbing the bird, is a criminal offence under the Wildlife and Countryside Act.

Terence Jones

**Matthew Tucker**

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**From:** torquill [REDACTED]  
**Sent:** 07 January 2018 18:54  
**To:** Licensing  
**Subject:** Prevention of Public Nuisance

Dear Sirs

I hereby lodge my objection to the BoomTown licencing Application on the grounds of prevention of public nuisance and the disruption of life in an area of outstanding natural beauty, the Southdowns Park.

Yours sincerely  
JT McAlpine  
Longwood Dean House  
Longwood  
Winchester SO211JR

**Matthew Tucker**

---

**From:** Neil Kinder [REDACTED]  
**Sent:** 07 January 2018 22:22  
**To:** Licensing  
**Subject:** Boomtown 2018 concerns

Boomtown is now significant in the calendar of events in the Winchester area. It has grown rapidly over the last few years. However, the impact on the communities surrounding the event must now be taken into account.

The Boomtown event has grown by 100% over the last few years. The resulting mess remains in the hedges for months afterwards and the devastation levels of traffic particularly after the event and both dangerous and a major nuisance.

Winchester Council and the South Downs National Park entities have paid little interest in prior concerns that have been raised to the expansion plans of the event.

If the event is to be increased I would suggest several elements to the license

- No further increases in the size of the event for a minimum of 3 years in order that the impact on the events logistics and the local villagers is fully understood.
- All food and drink stalls/ outlets can only serve their drinks in deposit/ return containers or bio degradable containers and cutlery. This should avoid finding containers in hedges long after the event.
- The sound increase should be allowed temporarily, only on one night of the 2018 event in order that the local villages can experience the change and determine whether it could be acceptable for the 2019 event. No person can determine the audio impact on their environment based on a written value. It has to be experienced.

I look forward to hearing from you.

Best regards  
Neil Kinder  
Old School House  
Church Lane  
Titchborne  
Hampshire  
SO24 0NA

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Neil Kinder

[REDACTED]



**Matthew Tucker**

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**From:** Mel Kinder [REDACTED]  
**Sent:** 07 January 2018 22:26  
**To:** Licensing  
**Subject:** Boomtown Festival UK Ltd extension

Dear Sir/Madam,

I would like to voice my concern regarding the proposal of Boomtown Festival UK Ltd:

- To authorise the relevant licensable activities for a maximum of 75,000 persons, plus an additional 1,000 Sunday tickets for local residents for the 2018 event.
- To increase to a maximum of 79,999 persons from 2019. This includes all persons present at the Premises in whatever capacity including ticket holders, performers, guests and staff.

And also the fact that the company propose to extend the Festival over a six day period.

I am not against the Festival in principal but I believe that it has grown to a size which is sufficient for the resources of the surrounding area and public safety would be at risk should it be allowed to grow any larger. There are already traffic problems each year on the A31 when the Festival is in progress. Cars attempt to cross the central reservation in order to avoid the extended route towards Alresford to return on the other carriageway. People also walk along the verges and out into the carriageway which could cause a serious accident and is a general public nuisance.

On a general note, I find it abhorrent that the fields are left in such a state of disrepair after the event with rubbish strewn across the entire area. The South Downs National Park and its wildlife should not be subjected to littering on this level.

I thank you very much for your consideration on this matter.

Yours sincerely,

Mrs M Kinder  
Old School House  
Titchborne  
Hampshire  
SO24 0NA

Sent from my iPad

**Matthew Tucker**

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**From:** Mark Horner [REDACTED]  
**Sent:** 07 January 2018 22:51  
**To:** Licensing  
**Subject:** Boomtown

Dear Sirs

I wish to object on the basis of the Prevention of Public Nuisance Licensing Objective, to the application for any increase in the size and scope of the Boomtown Festival. At its present size the festival is the cause of considerable traffic nuisance, verging on chaos and resulting in instances of road rage by those impacted. The noise nuisance primarily consists of significant low frequency thud booming across the countryside for miles, continuing into the night when most of the local residents prefer to sleep. Should the council allow increases in volume, along with extended periods when music will be played, would surely represent a disregard for the health and wellbeing of residents, who, impacted by this nuisance are unable to sleep.

I do hope the council see sense on this matter and put a stop to the endless ambition for this festival to grow ever larger, bringing with it more of the problems referred to above.

Yours

Mark Horner

The Brick House

Cheriton

SO24 OPR

## Matthew Tucker

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**From:** Justin French-Brooks [REDACTED]  
**Sent:** 11 January 2018 09:53  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown: Representation in respect of licence application

Good morning Mr Tucker,

We are joint owners of Goose Cottage, Tichborne SO24 0NA, having bought the property in October 2015. We temporarily moved out on 23 October 2017 and are staying with family while the house is gutted and rebuilt. We hope to move back home this summer, depending on factors affecting the rebuild, such as the weather.

Best regards,

Justin French-Brooks

> On 10 Jan 2018, at 16:42, [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk) wrote:

>

> Dr Mr French-Brooks and Mr Bousfield - I have been asked to confirm your address in order to ensure your objection is valid under the Licensing Act 2003.

>

> Regards

>

>

> Matt Tucker

> Interim Licensing Manager

> Environmental Health & Licensing Department Winchester City Council

> City Offices, Colebrook Street, Winchester, SO23 9LJ

>

> T. 01962 848188 (Ext. 2188)

> F. 01962 840586

> M. 07980 732143

> E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

>

>

> -----Original Message-----

> From: Justin French-Brooks [REDACTED]

> Sent: 07 January 2018 23:35

> To: Licensing

> Subject: Boomtown: Representation in respect of licence application

>

> Please find attached our representation in respect of the application

> for a revised premises licence from Boomtown Festival UK Limited

>

>

> This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are

GOOSE COTTAGE, TICHBORNE, ALRESFORD, HAMPSHIRE SO24 ONA

David Ingram  
Head of Environmental Health & Licensing  
Winchester City Council  
licensing@winchester.gov.uk

7 January 2018

Dear Mr Ingram,

**Representation: Application by Boomtown Festival UK Ltd for a new premises licence for Matterley Bowl, Alresford Rd, Winchester**

We write in relation to the recent application by Boomtown Festival for approval of the licensable activities set out in its proposed schedule, including in particular an increase in the number of people permitted on the site for the 2018 event and another increase for the 2019 event, an increase in the licensed area, and an increase in the number of days on which licensable activities are permitted to six consecutively.

Having studied the application and considered its implications, it is clear that the requested changes would result in a disproportionate increase in public nuisance and risk to public safety. We therefore urge Winchester City Council (WCC) to REJECT the licence application.

Detrimental impact due to public nuisance

A licence on the basis of the application would have an unacceptable impact on local residents for the following reasons:

- (1) The proposed licensed area would be larger than in the current licence, and licensable activities generating amplified music and other loud noise would therefore take place closer to local communities, including Tichborne, increasing the detrimental impact on residents' ability to sleep at night and on their ability to enjoy their communities during the day.
- (2) It would certainly result in many more vehicle movements both on the site and throughout the local highway infrastructure, including the A272, A31 and M3. WCC has previously stated that an increase in numbers attending the event could have an adverse impact on the local highway network, with greater numbers of vehicle movements representing a public nuisance. In particular, greater nuisance would result from increased congestion caused by vehicles arriving at and leaving the event. This would be exacerbated by the event taking place on one additional day, increasing departure and arrival movements. Those living and working in the locality have a right to go about their everyday lives unimpeded.

- (3) The event site is located within the South Downs National Park, contains the Cheesefoot Head Site of Special Scientific Interest and features areas of priority habitat, including lowland calcareous grassland. Residents and visitors place an enormous value on these geographical designations and being able to enjoy them during the daytime, particularly at the time of the year that the event takes place. With these areas, including public rights of way, being off limits during the event, this restriction of access must be considered a public nuisance.

We therefore conclude that any new licence issued by Winchester City Council should RETAIN or REDUCE previous limits on the number of people allowed on site, RETAIN the existing perimeter and RETAIN the existing number of days on which licensable activities are permitted.

#### Detrimental impact on public safety

WCC has previously stated that an increase in numbers attending the event could have an adverse impact on the local highway network. This would seem inevitable, with greater congestion caused by vehicles arriving at and leaving the event likely to result in a greater number of road accidents. We have witnessed vehicles clearly destined for the event performing illegal U-turns across the central reservation of the A31 dual carriageway (despite temporary barriers) and numerous pedestrians crossing and walking along local roads which normally see none.

We therefore conclude that any new licence issued by Winchester City Council should RETAIN or REDUCE previous limits on the number of people allowed on site to limit negative impacts on public safety.

#### Other matters of interest to residents

We already presume that all costs borne by the public purse in relation to the event are recharged to the festival organisers. If they are not, we rely on WCC as our elected representatives to ensure that they indeed are.

We have in previous years witnessed a notable increase in the amount of roadside litter during and immediately after the festival, and therefore request that, in issuing any licence, WCC include a requirement for the licence holder to conduct a thorough manual litter pick of roadside verges within one mile of the perimeter of the site on all public roads leading to and from the event site. As the statutory waste collection authority, we expect WCC to be unwilling itself to pay for this requirement.

Finally, we are particularly keen for WCC not to find itself in the position of being forced to consider a revised licence application in the weeks immediately preceding the event, as this may result in the committee taking a decision that is not in the best interests of the authority's residents.

Yours sincerely,

**Justin French-Brooks and Jonathan Bousfield**

## Matthew Tucker

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**From:** Anthony McWhirter [REDACTED]  
**Sent:** 08 January 2018 08:46  
**To:** David Ingram  
**Cc:** Tichborne Parish Council; Matthew Tucker  
**Subject:** Re: Maturely Bowl planning application

Dear Mr Ingram and Mr Tucker,

I refer to my objection to the Matterley Bowl planning application (see below) and understand I should give you my address which is:

Sevington Manor  
Tichborne  
Alresford  
Hampshire  
SO24 0NF.

Please let me know if you need any further information in order for my objections to be taken into account.

Kind regards

Anthony McWhirter.

> On 7 Jan 2018, at 7:39 pm, Anthony McWhirter [REDACTED] wrote:

>

> Dear Mr Ingram,

> Boomtown planning application in respect of Matterley Bowl

>

> I am a resident of Tichborne and am writing to object to the latest planning application made in respect of Matterley Bowl. I have a number of objections and concerns:

>

> 1. I do not consider that the Boomtown event within the South Downs National Park meets any of the statutory purposes of the South Downs National Park.

>

> 3. I consider that the timing of this application (involving the Christmas and new year period) is unfortunate in that many people will not be aware of it or have time to consider it properly and make representations. For example, in Tichborne I received enquiries from concerned villagers who were not aware of it until 4 January, 2018.

>

> 4. The approval of the application would significantly increase the public nuisance created by this event.

>

> (a) the event already causes massive traffic disruption particularly on the days that those attending the event arrive and leave. I have personally experienced this and the disruption is such that (even with the existing numbers attending), it is impossible to plan to use the local roads on those days and be confident of reaching one's destination at a particular time because of the likely traffic disruption. If the numbers are increased, this disruption can only increase. During the event there is also traffic disruption on roads like the A31 because of the cones that are in place for the duration of the event restricting the parts of the A31 that can be used by non-event traffic. Again, an increase in numbers is likely to exacerbate this.

>

> As I understand the application, the event would (if the application is accepted) involve people attending the site from Monday to Sunday (i.e. effectively over a week if one includes the Monday they leave). This increase in numbers represents a potential 30% increase in traffic due to the event. This represents a more than doubling of the duration of the traffic disruption for the period during which the area is used for both music and films etc., and a 25% increase in the duration of the traffic disruption for the music event.

>

> (b) locals already suffer from the noise of the event. The acceptance of the application significantly increases the permitted noise levels. The lower (base) sound travels furthest so increasing will have the greatest impact and will increase the number of people affected by the noise. I also understand that a 3dB increase in base levels would

double the base sound level and an increase of 5dB would almost quadruple it. As I am sure you are aware, sound (and especially a thumping base noise) travels furthest at night which means that the sleep of those adversely affected by the noise of the event will suffer more intensely and for a longer period. As recorded music and dance can be provided from Monday until 4.00am, the duration of the noise nuisance will extend the whole week. I understand that part of the event will move eastwards which will also increase the sound levels experienced by those living to the east of the event.

>

> (c) the event is attended by considerable mess in the vicinity of the event and (although I am sure that the event organisers take steps to mitigate this) there is still a lot of rubbish in the environs of the event that is not cleared up. Again the locals have to put up with this and increasing the duration, numbers and area of the event will again only likely increase this problem.

>

> (d) the South Downs National Park is meant to be a "Dark Sky" area. However, the light displays accompanying the festival are in direct conflict with any "dark sky" policy. Those of us who wish to enjoy the stars, planets and night sky cannot do so during the event. Extending the duration of the event will increase the time that the night sky cannot be appreciated by those in the environs of the event and if lights are used across a larger area, that will extend the area in which people can not enjoy the night sky.

>

> (e) the event involves blocking access to an area of the South Downs National Park and the closure of public footpaths etc. This prevents those people who wish to enjoy the natural beauty of the South Downs National Park from doing so. This disruption lasts longer than the actual duration of the event because of the time taken to prepare and clear the event, and because of the continuing effect on the natural environment of the event long after the area has been cleared. Increasing the numbers, duration of, and area use by this event only increases this denial of access to, and disruption to the normal functioning of, the South Downs National Park.

>

> 4. I am concerned with the danger to public order and public health by the application to allow the provision of alcohol 24 hours a day from Monday to Sunday. This risks people who are unable to buy a drink from other outlets during the night attending these events in order to buy alcohol. At present, there is considerable public concern at the availability of alcohol and consideration is being given to increasing the cost of alcohol to try to make alcohol's available and reduce alcohol dependence. It seems contrary to this policy to permit an event like this to make alcohol available for 24 hours a day for a week. For those wishing to see films, listen to recorded music, or watch dance, there seems to be no need for them to be consuming alcohol through the night in order to be able to enjoy any of these interests.

>

> 5. This event seems to be increasing in size and duration very regularly. I have a real concern that the planning authority should stop and take stock of the situation because this event is no longer an event of a few thousand people lasting half a day where, perhaps, an application can be dealt with on a fairly summary basis because it is likely to be of little consequence. The event currently is permitted to attract 59,999 people and lasts over three nights which makes it a very significant event. As I understand the application (if it is accepted) the event will last a week (and the music event will last for half a week), and during that time up to 75,000 people will be capable of attending in 2018 and that will increase to 80,000 people in subsequent years. I do not consider the application should be accepted because I think the local nuisance is too great and I consider the planning authority should at least wait until the current levels of people, duration and noise levels can be evaluated before further increasing the size and duration of the event.

>

> If the current application is accepted, there is no reason why in 2018 a further application to increase the number attending the event/duration of the event/noise levels of the event will not be made and accepted. And in 2019, there is no reason why a further application to increase the number attending the event/duration of the event/noise levels of the event will not be made and accepted. This could continue year after year until the numbers attending total, say, 250,000 (or more) and the event lasts a couple of weeks (or more). I think the planning authority should consider the long term future of this event and, in particular, whether there should be any limit to the size and duration of the event. In order to do that effectively, I consider the planning authority should put itself in position to understand fully matters like consider how much traffic the local roads can accommodate, how much benefit this event provides to the local community (as far as I am aware the only consideration of this is a report prepared on behalf to the organiser a few years ago, but the planning authorities should have their own independent report (for example, will allowing the showing of films affect the trade at the local cinemas?)), is the planning authority happy

to have a "Glastonbury-style event at Matterley, what is the true cost of the event to the local community in terms of policing, use of local hospitals, clearing up rubbish, cost to business of travel disruption, reputation of the area (in view, for example, of the deaths and hospital admissions that have occurred and drug related offences) and, perhaps, should this area cease to be part of the South Downs National Park in view of the various uses to which it is being put including the Matterley bowl event, the Moto Cross events held in the area and the other events like tank driving and "Tough Mudder" etc., all of which seem to be in conflict with the purposes of the South Downs National Park. The event organisers have a very efficient and effective public relations team whose job it is to promote the event. The locals affected by the event cannot afford that kind of service. Therefore, it is important that someone takes account of their views.

>

> If the long term size and duration of the event is not properly considered, it appears to me that there is a risk of "event creep" by which I mean that each year applications are accepted (on a piecemeal basis) to increase the size, duration, area of, and number of the events held on this parcel of land resulting in very serious problems for the area.

>

> I hope that the above is helpful to you. I should be grateful if you would let me know if I need to provide you with any further information in order for my objections to be considered.

>

> Kind regards,  
> Anthony McWhirter.

>

>

>

>



## **Matthew Tucker**

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**From:** G ELLIS [REDACTED]  
**Sent:** 08 January 2018 15:06  
**To:** Matthew Tucker; Licensing  
**Subject:** Fw: Application from Boom Town Festival UK ltd for new Premises Licence for Matterley Bowl, Alresford Road, Winchester, Hampshire.

Dear Mr Tucker

Thank you for your email and please find my amended objection to this application for the following reasons:

1/ There is already a temporary 3 year application granted by the South Downs National Park (SDNP) until 31 Dec 2019 to monitor and review the impact of this event on the amenities, special qualities and enjoyment of the National Park.

Any alteration to the to the existing temporary planning consent would compromise the monitoring and assesment of this review period. This is especially so as the new application proposes increases to the number of attendees, length of the festival and louder music noise levels.

The size, length of time and noise levels of this festival pose a detrimental impact on the Prevention of Public Nuisance licencing objective.

The increases in size, length of time and noise requested in this new application will only increase the level of Public Nuisance.

2/ The 'Purposes of the SDNP', protected by Section 62(2) of the Environmental Act 1995, are broken and compromised by the size and impact of this festival.

(The 'Purposes of the SDNP' are also included in paragraph 1.7 Winchester City Council Licencing Policy.)

3/ The festival provides little or no benefit for the National Park, its environment or the understanding of the reason for the park. The festival is simply to provide profit for those who operate, perform, run and sell goods and services for those who travel to enjoy the event.

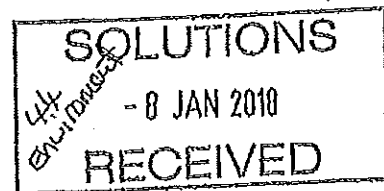
If National Parks are to be valued and preserved for the future then they must be protected from speculators and profiteers. Perhaps festivals of this size should be held outside of National Parks.

Geoffrey R. Ellis  
Yew Corner  
Cheriton  
SO24 0QD

**Box Cottage**

**Tichborne**

**SO24 0NA**



Mr. D. Ingram

Head of Environmental Health and Licensing

Winchester City Council

SO23 9LJ

6<sup>th</sup> January, 2018.

Dear Sir,

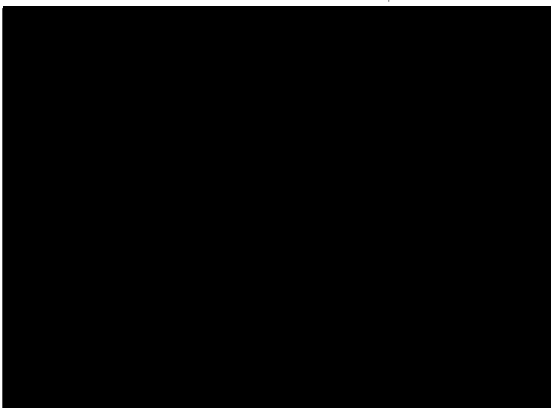
**BOOM TOWN FESTIVAL 2018**

We write in connection to the recent application for a new Premises Licence for Matterley Bowl, Alresford Road, Winchester and to register our objection to the proposals. To avoid repetition, we would refer you to the letter of objection dated 3<sup>rd</sup> January, submitted by Tichborne Parish Council and state that we concur with its entire contents. In addition we would like to add the following:

Re Public Nuisance The residents of Tichborne and other surrounding villages are virtual prisoners in their residences for the duration of the set up, dismantling and actual event -- every journey takes longer and has to be timed to avoid as much of the traffic as possible. The same applies to would be visitors to the residences of those villages affected, with the A31 and A272 serving them 'taken over' by the Boomtown programme, the length of which it is now proposed to extend.

- The 'hidden' result of this is that many inhabitants now work from home during this time, (and this is not always possible depending on the nature of employment), but the majority of Tichborne does not lend itself to this option with patchy/no mobile signal and poor broadband speeds. There is also a cost factor to the villagers in that they may have to sacrifice pay and take holiday for the duration of the nuisance, either option being unacceptable with the cost falling on the individual, not the organiser's purse.
- As with most rural areas, public transport is not a viable option with perhaps a greater dependence on private transport even to accomplish basic daily activities, the clogging of the main access roads precludes this.
- The effect of wildlife, flora and fauna: this area is particularly rich in all these aspects and we are constantly urged, and legislated, to achieve the optimum conditions for all of these to be protected and flourish; and yet once a year the environment for all of these is subjected to all that is detrimental to sustaining these aims. How can this invasion be validated?

I have forwarded a copy to the SDNP since it is also their duty to promote the best stewardship of our countryside.



## **Matthew Tucker**

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**From:** Jackie Porter [REDACTED]  
**Sent:** 10 January 2018 16:44  
**To:** Matthew Tucker  
**Subject:** Re: My response to the Licensing Application for Boomtown.

Thank you  
It is The Down House, Itchen Abbas, Winchester SO21 1AX

with kindest regards  
**Jackie Porter**

- County Councillor representing residents and businesses in the Itchen Valley Division
- City Councillor for the Worthys
- Charity Trustee
- *Please think green: keep it on screen!*

**You can contact me at :**



On Wed, Jan 10, 2018 at 4:42 PM, <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> wrote:

Dear Cllr Porter – I have been asked to confirm your address so that your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

E. MTucker@Winchester.gov.uk

**From:** Jackie Porter [REDACTED]  
**Sent:** 08 January 2018 19:02  
**To:** Licensing  
**Cc:** Matthew Tucker  
**Subject:** My response to the Licensing Application for Boomtown.

Dear Team

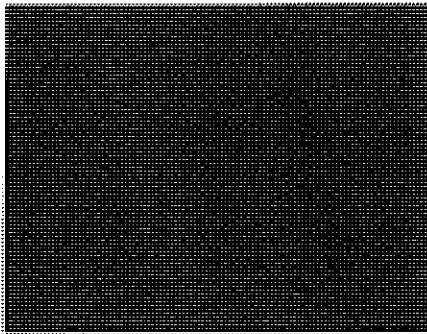
Please find attached my objection to the increase in numbers and changes to days of operation, alcohol supply, sound levels to this application.

with kindest regards

*Jackie Porter*

- County Councillor representing residents and businesses in the Itchen Valley Division
- City Councillor for the Worthys
- Charity Trustee
- *Please think green: keep it on screen!*

**You can contact me at :**



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This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

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

Dear Mr Tucker,

I refer to the Boomtown Licence application to

- Increase numbers,
- noise levels
- number of days of operation,
- extension of time for music.

My response is as the County Councillor for the Itchen Valley Division which covers most of the villages north of Winchester up to the Basingstoke border, and as the city councillor for the Worthys. For the last few years, I have been chairing the community meetings, where we have discussed the impact on local residents and mitigation thereof.

The event is huge: I have huge respect for creative talents of the production team. The Boomtown team has always been polite, and responsive to look at issues of safety etc, but in reality, there still remains an issue with very heavy traffic, particularly on the day of entry and exit, of noise-though many people do not complain now, and of the fear of antisocial behaviour and insecurity, particularly for those who live on the in/out route.

I am aware that my responses must be based on the following criteria:-

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

**The prevention of crime and disorder:** this relates to traffic offences and trespass

A resident who lives on the other side of Winchester told me that she had given up waiting in a vehicle queue that weekend and crossed the grass section of the A31 to go back down the other carriageway. I asked why she had done so-and she replied that she' had followed others who were-as frustrated by the traffic queues coming out of Boomtown.' I do not believe that crossing a central reservation on the A31 is legal?

*The following quote is from another resident, 'You might ask why suddenly this year I decided to write such a long list of complaints. Until a few years ago we used to go away for the four or five days of the event, so as to avoid the noise (and get some sleep), and when the event was smaller, the period of disturbance before and after was shorter. We relied on our neighbours to keep an eye on our house. But now with the increased numbers, and all the extended preparations and the clearing up, we would need to go away for several weeks, which we do not feel we could afford to do, and (what with having a large garden to look after, and other factors) we do not want to do either. ... neighbours are now sufficiently old and frail that we would not want to burden them with having to deal with possible incidents here, such as being invaded by campers....'*

There is evidence that members of the public attending the event do not always go on site to camp...

*...we had people camping in the farm lane, at the bottom of our garden and more or less in next door's garden. With all your floodlighting, I could see they were there, but I got a large torch and shone it at their tents, and two of them walked up to our gate and said was it OK for them to camp there? I said, no, this is private land and you have no business here. To be fair, they were quite polite, but I did not know if they intended to leave so I phoned Event Control at 12.30 am and told them about it. (I also mentioned all the noise with rollers and such, and the lights.) They promised to pass a message to the security team, but I spent an anxious few hours sitting up, keeping an eye on our entrance. Security came round at 8 am, that is, seven and a half hours later, by which time the campers had indeed left.*

*I don't think the campers had come in past our security fencing. I think they had walked across the fields from Easton. There is no right-of-way that allows you to do this. I should add that there was evidence that someone had used the lane, just outside our gate, as a latrine.*

**Public Safety:** the event in 2017 was dogged by torrential rain in the weeks leading up to the event. It was unfortunate, and I felt for the staff creating sets in the rain. But this meant that the Production team's ambitious plans were only judged to be safe on the morning of the event. Queues of people involved in the event waited to get in on the day before for many hours-some in the rain. There were no refreshment or toilet facilities available. This was repeated on the Thursday with members of the public.

If there is a 25% increase in the numbers, followed by a 33% increase from 2017 numbers in the following year, then this will put the whole timing on an even greater knife edge.

The planning permission gives a limited number of days on site to achieve this. I do not have any evidence that the health and safety of the public attending, creating or indeed using the greater facilities needed has been taken into account in this licensing application, and would want to see number of days for creation of the sets increased by planning permission before any increase in licensed numbers is granted.

The in/out tally system for event goers may work well at some stations, but the internet services were not strong at Orange gate in 2017 and I believe that the check in/out was not reliable (this was the gate that I used on that day- the security team member couldn't scan my bracelet and said 'it happens often' )

**The prevention of public nuisance:-** sound, light, antisocial behaviour and economic impact

*Again, a resident has written to me to say..."Much of what I am complaining about might be tolerated if one knew it was a one-off; but it isn't. Again, some of the things I have mentioned would be fairly trivial on their own; it is the cumulative effect that is deadly. Year on year we are inconvenienced and disturbed and upset by this event, and it will be just the same..."*

**Economic impact:** Whilst there are no doubt, businesses who benefit, there are others who do not. Residents tell me they work from home on these days of the festival, either because of traffic or security fears. Pubs recall that the numbers coming for lunch drops during this

period. I have been approached by several organisations, including care companies, health services, including physiotherapy, local shops in Alresford, people using the train, taxi drivers who tell me that the economic impact on their businesses is large as locals choose not to access local shops, choosing to stay in their own homes, or failed to turn up for appointments.

Traffic nuisance is public nuisance in these examples. And it impacts on local people who have regular jobs to do and people to care for who rely on meals, care etc. The impact on the hospital is mitigated, but not on daily life. Suggesting that increasing the entry to an extra day will I believe do nothing to spread the numbers arriving over the days of entry or egress. By providing alcohol and entertainment to Monday, there is no evidence that daily counts will decrease: most festival goers may just decide to choose to stay the additional night.

Over the last few years, the traffic nuisance has been exacerbated by incidents elsewhere on the network, but I do not believe that a solution has been explored which will reduce the impact of the increased likelihood of traffic congestion due to the increase in number of attendees. Highways England, Sat Nav directions and frustration at the junctions around the area create difficult queues and thus bring the area to a halt. This does not happen so badly at other major events-for example, I am told that horse trials etc are large events but get everyone away in good time. I do not want the size of the crowd at Boomtown to increase until this has been solved properly.

At a funeral in the week following the event in 2017, one resident said that she had failed to get to Eastleigh to host her own child's party because of the traffic and a taxi driver said he gave up working on the Thursday because he had been abused by 'a fare' when the journey took so long.

Local post boxes are closed up, 'preventing residents from posting letters and one has reported not receiving post at all during the event. *He recounts... But then we found that our nearest postbox, which is outside next door, had been closed, with a strip of black and yellow striped stuff over the opening. I logged a complaint with Royal Mail about this, but have had no explanation. They are supposed to give notice of such a closure, with details of nearest available post box, but there was nothing.* And a neighbour recounted that all the post boxes in the neighbourhood were similarly closed, because as Royal Mail said 'the sort of people that go to festivals have a habit of putting disgusting things into post boxes.'

Sound: The number of people complaining about the noise has declined over the years but for those living in the shadow of the sound, the event has distinct problems. I live in sight of the site, and was aware that the noise levels were high at certain periods-but conscious that weather conditions affect the noise greatly, so I hope that in a few hours the problem will go away. I do not complain any more.

I have specifically requested in the past for sound to be reduced after 11pm and was pleased when Sunday night was taken out of the schedule. It is now back again and Wednesday night added. That means they will test on Tuesday? I do not wish to hear music for five nights (Wednesday-Monday) plus the additional test nights beforehand, because it



disturbs my sleep pattern. I have called in- in the past, and received a non-committal response, and was pleased that in 2017 additional measures were taken to reduce the effect of noise on local people, but I have since learned that there were breaches in the conditions. If the conditions include an increase in sound, will this not mean that the sound is allowed to go even higher (3dB =twice as loud). If the committee is minded to approve the increase in sound, can I respectfully request that the conditions include a greater number of sample sites around the area? Just nine does not reflect the sort of responses that are fed to me.

These sounds do not include those used in construction: one person has told me he wrote thus: *On the night before you opened, you clearly had a problem with the weather. We had lorry-loads of hardcore going in from just before midnight, and we could feel the vibrating roller operating till at least 3 am, and hear the beep-beep-beep of vehicles reversing. We did not get much sleep. I sent an email to Event Control to complain about this....but this would not have been recorded as a noise complaint.*

Light: Most of the surrounding area is in the National Park. We enjoy dark night skies and support the Dark Skies policy. The licensing terms appeared to reflect this and I was pleased. Like some others who live here, I usually lie on the grass to watch the Perseids- but not in 2017 as the laser lights were still on and the sky wasn't dark enough until far too late-past my bed time!

A resident has commented: *On 7 August you finally sent an email to one complainant regarding lighting. It said the lights would be turned off each night, but they were not. Event Control and they said they would mention it to the team, but the lights were on every night. I think, however, they may have realigned them somewhat so that they did not point directly at our house; however, with the banks of floodlights on your towers at the top of the hill pointing down the field, it made little difference.*

Antisocial behaviour: I have already described this from event goers in paragraphs above including use of private gardens as toilets north of the site too, but some residents complain that the noise, light and machinery noise on site and off site as traffic cones, machinery etc are used at the perimeter of the site for weeks before, during and after is extremely disturbing.

**The protection of children from harm:** I have no view that this is at any more risk by the increase in numbers.

Yours sincerely,

Cllr Jackie Porter

City Councillor, The Worthy's

County Councillor, Itchen Valley Division

**Matthew Tucker**

---

**From:** Matthew Tucker  
**Sent:** 13 January 2018 11:02  
**To:** Cheriton Parish Clerk  
**Subject:** RE: BOOMTOWN's LICENCE APPLICATION: CHERITON PARISH COUNCIL's REPRESENTATION - URGENT

Thanks for this Ms Heppell – much appreciated.

Regards

Matt Tucker  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

**From:** Parish Clerk [REDACTED]  
**Sent:** 11 January 2018 10:26  
**To:** Matthew Tucker  
**Subject:** Re: BOOMTOWN's LICENCE APPLICATION: CHERITON PARISH COUNCIL's REPRESENTATION - URGENT

Dear Mr Tucker,  
it should be on WCC website, but it is:

Cheriton Parish Council,  
Parish Clerk,  
77 Chalton Lane,  
Clanfield,  
Hants  
PO80PR

Thanks  
Mrs Heppell

On 10 January 2018 at 16:43, <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> wrote:

Dear Ms Heppell – I have been asked to confirm the address of your organisation in order to make your objection valid under the Licensing Act 2003.

Regards

Matt Tucker

Interim Licensing Manager

Environmental Health & Licensing Department

Winchester City Council

City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)

F. 01962 840586

M. 07980 732143

E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

**From:** Parish Clerk [REDACTED]

**Sent:** 21 December 2017 12:44

**To:** Licensing

**Cc:** David Pain; Andy Collett; Laurence; Freda Hurst

**Subject:** Fwd: BOOMTOWN's LICENCE APPLICATION: CHERITON PARISH COUNCIL's REPRESENTATION - URGENT

**Subject: Re: BOOMTOWN's LICENCE APPLICATION: CHERITON PARISH COUNCIL's REPRESENTATION**

**TO WINCHESTER CITY COUNCIL**

Please see the attached comments from Cheriton Parish Council on the above Licence application at Boomtown.

Regards

Mrs D Heppell

Clerk to Cheriton Parish Council

## Amended Cheriton Parish Council Comments 8.1.18.

### 1. Noteworthy Facts.

- 1.1 The application includes significant increases to the maximum number of persons allowed on the site (from 59,999 to 79,999) which would result in many more vehicle movements but there is no information provided with the application regarding these additional vehicle movements. However, in April 2016 the Licensing Authority refused an application by the same applicant, Boomtown Festivals UK Ltd., for a much smaller increase in PREM655 (from 49,999 to 54,998 – an increase of 4,999 persons) because of the estimated 865 additional vehicle movements. The Licensing Authority stated that these could have an adverse impact on the local highway network which could present a public nuisance, in particular as a result of congestion caused near the site by vehicles egressing the event, to those living and working in the locality.
- 1.2 The proposed licensed area would be larger than in the current licence, PREM709, and the enlarged area, presumably to accommodate extra people and additional sound sources, would be east of the existing site and closer to local communities such as Beauworth, Cheriton, Kilmeston and Tichborne.
- 1.3 The application includes one extra day (Wednesday) which would cause traffic congestion on an additional working day for each event and cause noise nuisance for local communities resulting from regulated entertainment (live and/or recorded music) on five instead of four nights.
- 1.4 Winchester City Council, the Licensing Authority, adopted a Revised Licensing Policy on 13<sup>th</sup> April 2016 and one significant revision in Section C: The Prevention of Public Nuisance on Page 25 was to enhance clause C4 by stating that “stricter conditions with regard to noise control would be expected for sites within the South Downs National Park which seeks to protect and enhance tranquillity”. On that date the Boomtown premises licence in use was PREM655 (granted in February 2014). There are no stricter conditions with regard to noise control in this application compared with PREM655. In fact, as regards low frequency noise the proposed condition PN11 in this application has higher noise levels than those in PREM655 and, of course, there would be one extra night of regulated entertainment on Wednesday. The increase sought to the decibels at low level frequencies is of immense concern given that for instance, the increased 3Db cited during the early hours of the morning is a doubling of the noise level because it is a logarithmic scale. At the lower frequencies the effects of the increase and its nuisance value will be worsened because low frequencies travel further, especially if there is low cloud. This is suggested during the major part of the working week and tiredness in drivers is hardly to be recommended in the interests of public safety. Therefore, the application does not comply with the Revised Licensing Policy which the Council is required to take into account by the Government as per the Revised Guidance issued under section 182 of the Licensing Act 2003 by the Home Office in April 2017 which includes paragraph 9.38: “In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
  - \*the steps that are appropriate to promote the licensing objectives;
  - \*the representations (including supporting information) presented by all the parties;

- \*this Guidance;
- \*its own statement of licensing policy.”

## **2. Basis of Objection to the Application.**

2.1 The Council has a legal responsibility to consider the application in the context of promoting the four licensing objectives one of which is The Prevention of Public Nuisance. This application would cause additional public nuisance in several respects:

2.1.1 Firstly, there would be one additional night of nuisance caused by amplified music on the Wednesday of each event. This music is audible in Cheriton.

2.1.2 Secondly, the low frequency noise levels would be higher than at present (compare proposed condition PN11 with condition PN12 in PREM709 and PN8 in PREM655). Even at current levels the music is audible in Cheriton.

2.1.3 Thirdly, there are likely to be sound sources (stages) in the enlarged area closer to local communities and the recent Motocross of Nations event which had only one stage proved that noise nuisance was caused to local communities despite assurances from the Environmental Health Manager that none would be caused.

2.1.4 Fourthly, the nuisance caused by traffic congestion on the local highway network would occur on one additional working day (Wednesday). Also, on the Monday, when all attendees would leave the site on the same day, it would be even worse than at present and would cause even greater severe inconvenience, disruption and stress (public nuisance) to many thousands of road users.

2.2 The application makes reference to a Noise Management Plan (NMP) but this has not been produced as part of the application's supporting documents and public consultation on it has been prevented. The application includes a proposed condition PN6 which includes this statement: "The NMP must include all of the arrangements for preventing public nuisance and consultation with the local community...." The NMP will not prevent public nuisance but it is vital that the document is made available prior to the closing date for representations so that members and representatives of local communities can make a judgement on whether or not the document is satisfactory. The Winchester City Council's Environmental Health Manager has been asked by a local resident to state the legal basis on which NMPs are dealt with but she has not yet replied.

2.3 The Council adopted a Revised Licensing Policy on 13<sup>th</sup> April 2016 and this application does not comply with the requirement for stricter conditions with regard to noise control on this site which is within the South Downs National Park. The terminal times would be the same as in PREM655 (0400 hours on two nights and midnight on other nights), there would be louder low frequency noise and one extra night of amplified music. In fact, the conditions with regard to noise control would be less strict which is contrary to the Revised Licensing Policy.

2.4 The Council has a legal responsibility to consider the application in the context of promoting the four licensing objectives, one of which is Public Safety. This application would cause additional risks to public safety in several respects:

2.4.1 The severe traffic congestion, referred to above, restricts the ability of ambulances to reach Cheriton, and similarly also greatly increases the time for emergency journeys

originating from Cheriton going to, say, hospital for emergency treatment. The 'golden hour' for medical treatment for the general public would therefore be at risk and hence gives rise to a risk to public safety. These concerns are founded on a "near-miss" situation on the Monday of the 2016 event when an ambulance had great difficulty reaching a Cheriton resident who had been taken very seriously ill owing to the severe congestion on the local highway network.

- 2.4.2 It is understood that the Hampshire and Isle of Wight air ambulance is to be dedicated to Boomtown for the duration of the festival and therefore this lack of facility for a rural location such as Cheriton increases local risk in case of an emergency. This risk is compounded by the serious traffic congestion to which reference was made above.
- 2.4.3 The severe traffic congestion also increases the risk to Cheriton residents and the surrounding area- and hence public safety- for other emergency services, such as the fire service.

### **3. The Application should be refused.**

3.1 The Council is requested to refuse the application for the foregoing reasons which can be summarised as follows:

- 3.1.1. It does not comply with the Council's own Revised Licensing Policy which requires for sites within the South Downs National Park stricter conditions with regard to noise control to protect and enhance tranquillity.
- 3.1.2. It is inconsistent with the Council's licensing objectives with respect to Public Safety, given it will demonstrably increase safety risks to local residents.
- 3.1.3. It is inconsistent with the Council's legal responsibility to prevent public nuisance which is one of the four licensing objectives.
- 3.1.4. It would cause even more public nuisance from louder music noise and greater traffic congestion than the current licence.
- 3.1.5. The Noise Management Plan has not been made available for public consultation.
- 3.1.6. There is no supporting information provided relating to the additional vehicle movements which would result from the increased attendance numbers which are being sought.
- 3.1.7 The Licensing Authority refused an application in April 2016 for a much smaller increase of 4,999 in the attendance limit (from 49,999 to 54,998) because of the adverse impact on the local highway network that could be caused by 865 additional vehicle movements. This application is for an additional 30,000 attendees compared with the maximum applicable in April 2016 which was 49,999.

## **Matthew Tucker**

---

**From:** Paul Moffatt [REDACTED]  
**Sent:** 08 January 2018 21:47  
**To:** Licensing  
**Subject:** Boomtown license application

I am writing to support the above application As a resident of the Itchen Valley and a member of the Itchen Valley parish council I take a great interest in Boomtown and feel it is a great asset for Winchester and the surrounding area.

The Boomtown company over the last few years have gone to great lengths to work with the local communities to try and resolve some of the issues affecting the area and continue to do so. Noise was one such area of which their was once a large concern but over the last few years has been sorted so is hardly audible if heard at all Traffic congestion on the final day was a great improvement over previous years which shows the transport policy of Boomtown to be working To think this as a case as for or against the event is to simplify the matter as by far the majority of the people I talk to you in the valley are not affected by the event and as such have no problem with it Boomtown is beginning to be known as the most diverse festival in the country and this can only be good for Winchester and long may it continue Paul Moffatt

7 Bridget's Lane  
Martyr Worthy

Sent from my iPad

**Matthew Tucker**

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**From:** Martin Hendry [REDACTED]  
**Sent:** 08 January 2018 23:15  
**To:** Licensing  
**Subject:** Re: Representation Regarding Application by Boom Town festival UK Ltd.  
**Attachments:** Final BoomTownwithAppendix8.1.18 .docx

Dear Mr Tucker

I attach a replacement representation that now includes an appendix detailing the implications of my objection for the Licensing Objectives and each of the proposed conditions. Further to our conversation, I re-emphasise that my representations are not 'Planning' led; it is however the case that in a national park the absence of a planning consent has unique implications for other regulators including Licensing Authorities, which admittedly are put in a difficult position. I doubt whether my points have been raised elsewhere, because very rarely does a licensing authority have to deal with such a large-scale proposal in a national park that does not have the benefit of a planning permission. However, I believe my points are fundamental. I would be delighted to speak with your legal adviser if that would help move things along.

Many thanks  
Martin Hendry

Sent from iCloud

On Jan 08, 2018, at 04:55 PM, [licensing@winchester.gov.uk](mailto:licensing@winchester.gov.uk) wrote:

Dear Mr Hendry – thank you for your e-mail, the contents of which I note.

Whilst I note your comments, these relate to the need to consider planning issues (which have no bearing on the licensing application) and the need, in your view, to Council's statement of Licensing Policy to better reflect the South Downs National Park. Furthermore, you have not specified how the proposed licensing application will impact on any of the four licensing objectives (attached).

In order for us to consider your comments as a valid objection, you would need to link the particulars of the application to the licensing objectives. Should you wish to submit a valid objection, you have until midnight tonight in which to do so.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**



Winchester City Council

City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)

F. 01962 840586

M. 07980 732143

E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

**From:** Martin Hendry [REDACTED]  
**Sent:** 08 January 2018 16:24  
**To:** Licensing  
**Subject:** Representation Regarding Application by Boom Town festival UK Ltd.

Dear Sir/Madam

I attach a representation regarding the above application. There are two attachments - a text document and an accompanying pdf. I look forward to receiving details of the Hearing.

Yours sincerely

Martin Hendry

Brookside

Cheriton

SO24 0QA

01962 771742

07801 867 581

Sent from iCloud

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**Application by Boom Town Festival UK Ltd for a new Premises Licence**

1. I object to the application submitted by Boom Town Festival UK and oppose the grant of a Licence. A Cheriton resident, I endorse and support the objection of the Cheriton Parish Council. In this personal objection I demonstrate that the requirements of statute and compliance with policy set by Government and by the Licensing Authority means that the Authority must refuse to grant a Licence.
2. As a long time resident of this part of Hampshire, I know the site and surrounding area well. I am also able to bring to bear extensive professional experience of the planning, permitting and implementation stages of major developments requiring multiple consents, both locally and elsewhere in the UK including in national parks. I am familiar with Licensing in the context of the necessary co-ordination of the decision-making process and with the statutory, environmental and planning requirements that must be taken into account.
3. The context for considering this Licence application includes statutes and Government policies relating to Licensing and Planning and to national parks. In the interests of brevity, what follows is a summary of the essential points. The Authority will be aware that other legislation and policies I do not mention, for example relating to the protection of Sites of Special Scientific Interest and Environmental Assessment (the licence application proposals is for a Schedule II project in a sensitive area and if a planning application were submitted it would require screening), also touch on the application of Licensing Objectives in this case.
4. With those provisos, these are the key facts and material considerations:
  - i. the applicant seeks a Licence for an unlawful land use, for which it has not submitted a planning application;
  - ii. if granted, the Licence would be for a development on a scale substantially in excess of that permitted by the current planning consent, which is temporary and conditional on monitoring at the consented levels for the next two years;
  - iii. when reaching a decision on the application, the Licensing Authority is bound by:
    - sections 5 and 11(A) of the National Parks and Access to the Countryside Act 1949 (as amended) which set out the purposes of national parks and identify the Licensing Authority as a relevant authority, and
    - (Home Office Revised Guidance on the 2003 Act, which requires compliance with other legal requirements, and the Authority's own Policy, which requires applicants first to obtain planning consent;
  - iv. the Licence application proposals comply with neither the statutory purposes of national parks nor government policy for national parks (which is that major development should not be allowed in parks except in exceptional circumstances that are demonstrably in the public interest). It should be noted that even as currently consented the festival is already far and away the largest such festival in a national park;
  - v. the 2010 National Parks Vision and Circular requires all public authorities with responsibility for the regulation of development to rigorously examine major development proposals and apply a test that is now set out in paragraph 116 of the National Planning Policy Framework, and only to allow a proposal to proceed if the test demonstrates that the proposal is in the public interest. The Circular (paragraph 29) warns that large music festivals need to be controlled;

- vii. DEFRA's Guidance on Duties of Relevant Authorities 2005 requires the Licensing Authority to be able to demonstrate to the public that it has fulfilled its statutory duties in making decisions on national parks, and
  - vii. the Licensing Authority's own Policy confirms that it will have regard to the SDNP purposes and ensure they are respected. However, the Authority it has no special policies to deal with applications in the National Park and its stated approach takes no account of statute or national policy for the Park.
5. The absence of a planning consent is, in this instance, fatal to the prospects of securing Licensing application. In summary, this is because the planning authority could not approve the Licensing proposals if they were translated into a planning application without replacing the recent temporary consent for a much smaller development conditional on monitoring at the level. There is no realistic chance of that happening. (For further details on the point see the Supporting Analysis)
  6. Even were that were not the case, the Licence application cannot anyway be approved because the Licensing Authority is not in a position to carry out the required assessment, which needs information and analysis by the planning authority when considering a planning application. A Licence may only be granted if the assessment demonstrates that the proposal can proceed in the public interest. In the unlikely event that it did attempt the assessment in the absence of a prior planning consent, the Licensing Authority could only conclude that no public interest would be served by granting a Licence for a proposal that stands no chance of planning consent and does not conform to government policy for national parks or the statutory Purposes of national parks. (Further details are provided in the Supporting Analysis.)
  7. It remains necessary only to confirm that my objection relates to all four Licensing Objectives set out in the 2003 Act, which together encapsulate the regulatory function that the Authority is required to exercise in a National Park, and to note that a fuller analysis of the material considerations alluded to above follows the next paragraph.
  8. **For the reasons summarised above and explained in more detail in the Supporting Analysis below, I conclude that the Licensing application cannot be permitted to succeed. I ask the Licensing Authority to refuse to grant a Licence. I also respectfully suggest that, as soon as practicable, the Licensing Authority prepares and consults on a proper Licensing policy for the National Park that complies with statute and national policy.**

#### Supporting Analysis

9. There will always be commercial interests that seek to persuade Regulators that that the statutory purposes of national parks can be interpreted to permit large-scale demand-led leisure developments. In the case of music festivals it is often because the backdrop of a high quality landscape and relatively remote location enhance festivalgoers' enjoyment and the low-density of surrounding habitation means that there are likely to be a relatively small number of objectors. These matters and commercial considerations like them are, however, not germane to the analysis that Licensing Authorities are required to undertake.
10. For parallel reasons, Licensing Authorities need to fine-tune their approach to licensing within national parks to match the statutory Purposes and national policy guidance for national parks. If they do not, they risk being diverted by general objectives that are reasonable elsewhere (such as the health of the wider leisure economy and the benefits of a sparsely settled location for events attracting huge crowds and generating extreme noise levels) and claims of economic benefits that in practice relate to areas outside the park.

11. Although WCC's Licensing Policy says that the Authority "will have regard to the SDNP purposes when considering applications to ensure they are respected" it does not explain how it will deal with applications within the National Park (or impacting it) or how it will take the national park Purposes into account. Applicants and the public thus have no indication of how the Authority will discharge its duties towards the National Park.
12. Policy paragraph 1.1, for example, recognises the importance of licensed premises and events but does so in terms that are not necessarily appropriate in a national park, where respect for the statutory Purposes requires a more measured and potentially restrictive approach. Under the heading 'Integration of Strategies' there is also no mention of the National Park strategy, confirming that it does not figure in the Authority's overall approach. This section then re-emphasises the Council's "clear objectives to promote tourism, the cultural diversity and local employment ... and its recognition that that licensed premises provide a valuable contribution to these objectives". Once again this approach does not properly reflect the Purposes of national parks or the sensitivity of their environments.
13. The fact that the Licensing Authority's approach to applications in the National Park is no different to its approach outside the Park is a matter of considerable concern. It encourages many inappropriate conclusions to be reached, in this case especially about economic benefits and environmental standards, that do not comply with national policies. Perhaps the most obviously inappropriate policy approach concerns noise, a particular consideration in this case. The policy ought to be to keep noise levels in national parks as low as possible, yet the Authority's Licensing policy is the reverse – encouraging applicants to seek out remote landscapes for large and noisy events. This discrepancy does need to be corrected and the policy brought into line with the statutory Purposes.
14. Lack of planning consent for Licensing application proposals gives rise to a particular problem in national parks. It means that the essential information that accompanies a planning application (and its subsequent analysis by the planning authority in reaching its decision to grant consent) is not available to the Licensing Authority, which is left without the information it needs to carry out its own duties under the legislation and in conformity with Government policy.
15. Although revised Home Office Guidance in paragraph 9.45 (that "licensing committees and officers should consider discussion with their planning counterparts to determination with the aim of agreeing mutually acceptable operating hours and scheme designs") may be a sensible approach in cases where Licensing is not a major planning consideration and there are unlikely to be any planning objections if the two processes are run together, that is not so here and it would be wholly inappropriate in the circumstances of the current application for the Authority to adopt that suggestion.
16. The principle reason is that the Licensing Objectives are either in themselves considerations material to a planning decision or directly relate to them. In this instance the planning position also does not permit a combined solution to be reached on the basis of a Licence application. (The same criticism applies, incidentally, to the application of Paragraph 1.8 of the Licensing Authority's own Policy, which also favours co-operation with the planning authority.) This particular Licence application raises major national planning issues that must be debated and decided in the correct context, which is a planning application accompanied by the necessary information, and not led by a Licensing Authority granting a Licence on the basis of limited information.
17. There is in addition local concern that a substantial entertainment complex, effectively a theme park, is emerging around Temple Valley and Cheesefoot Head as a result of a step-by-step process of requests for enlargement and extension of what began several years ago on a small scale as permitted development and has now grown into a large national commercial operation. This Licence application is a further attempt at consolidation and extension. Local residents understand that, for the most part, the

majority now only has temporary planning consent and is being monitored and expect that commitment to be honoured.

18. The existing planning consent was issued in November 2016 and expires on 31 December 2019. For sound planning reasons it is time-limited and restricted to a single four-day festival with up to 59,999 attendees, and is conditioned to allow the National Park Authority to review the impact of the additional numbers of attendees. There is no commitment to a subsequent permanent consent. The effectiveness of this conditional consent, including the monitoring exercise, would be nullified if a further consent were to be granted for a larger event in line with the Licence application.
19. The reasoning behind the issue of a conditional temporary consent relates to the statutory Purposes of national parks and has direct implications for the Licensing Authority. Whilst the City Council's Policy interprets the Purposes as a material consideration, in fact it is more than that. Section 11A of the Act makes no distinction between a National Park Authority and a Licensing Authority. They are both 'relevant authorities', with the same direct responsibility for the Section 5 Purposes.
20. The Government's interpretation of what is required of all public bodies operating in National Parks is to be found in Paragraph 31 of the 2010 Vision and Circular on English National Parks, a document that is not restricted to planning matters. Having set out the overall national policy ("major development should not take place within a park except in exceptional circumstances") the Circular requires that "applications for all major developments should be subject to the most rigorous examination and proposals should be demonstrated to be in the public interest before being allowed to proceed." The criteria for the assessment of such applications are currently set out in paragraph 116 of the National Planning Policy Framework. The Circular says "the Government expects all public authorities with responsibility for the regulation of development in the Parks to apply the test rigorously, liaising together to ensure that it is well understood by developers."
21. For completeness, the full text of the NPPF reference is as follows:
  115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.
  116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:
    - × the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
    - × the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
    - × any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated."
22. In conclusion, and as an example of the sensitivity the Licensing Authority should in future exhibit in respecting the statutory purposes of National Parks (to 'conserve and enhance the natural beauty, wildlife and cultural heritage', and 'promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public') it should take due note of the fact that the application site is well-frequented and seen by visitors from near and far. The purposes are therefore particularly relevant to a judgement on the third Licensing Objective, the prevention of public nuisance, a term that the Home Office Guidance notes retains its common law meaning and is capable of

wide definition. The 'public' in this case must include not just the local residents but all those who come to enjoy the landscape and natural history of the South Downs, both passively and more actively, by walking and riding the South Downs Way and other rights of way in the vicinity.

23. Finally, I remind the Authority that in the same way that there are already separate policies for Planning in the National Park, there ought also to be separate policies for Licensing that similarly reflect the Purposes of the Park. And as a reminder of why the application site is so important to the National Park, I attach an illustration showing it in 1983 taken from a Hampshire County Council publication on the importance of the remaining areas of chalk grassland.

#### **Appendix - The implications for individual Licensing Objectives**

##### **Introduction**

The main text of my Objection explains that in the particular statutory and policy circumstances of a national park, the Licensing Authority cannot grant a Licence unless it has assessed the proposal as being in the public interest, and also why planning consent cannot be granted. As noted in my main text and supporting analysis conclusion obviously involves and influences the way that the licensing Authority must approach the task of assessing all Licensing Objectives. For completeness, this Appendix notes the detailed implications for all the proposed conditions under each Licensing Objective.

##### **ALL LICENSING OBJECTIVES**

###### **A1 and A2**

I object. The Licensing Authority cannot grant a Licence for activities in a national park unless it has first been shown that these activities would be in the public interest, bearing in mind the two statutory purposes of national parks and national policy. An assessment of public interest has not been carried out by the planning authority or by any other regulatory authority, and it falls to the Licensing Authority to carry out the test required by the 2010 National Parks Circular. As the Authority cannot demonstrate that the licensable activities would be in the public interest, proposed conditions A1 and A2 (which authorise levels of activity in a national park that significantly exceed levels permitted by an existing planning consent) cannot be imposed.

###### **A3**

I object. This condition is unworkable because even if a planning application were to be submitted tomorrow it could not be determined in time for this condition to be operated. As noted above planning permission would in any case have to be refused. The Licensing Authority cannot impose this condition knowing this to be the case

###### **A4**

I object. An EMP is a material consideration for a planning application and therefore cannot be fixed at this point. As with A3, there is insufficient time for this to happen and in any case planning consent would have to be refused. The Licensing Authority cannot impose this condition knowing this to be the case.

A5-A7

I object. These three conditions rely on the previous conditions and are therefore similarly unworkable.

#### **THE PREVENTION OF CRIME AND DISORDER**

CD2

I object. This condition is unworkable since the fence and its location depend on planning consent, which cannot be granted (see above). The Licensing Authority cannot impose this condition knowing this to be the case.

#### **PUBLIC SAFETY**

PS1-PS4

I have no objection to these conditions but they are irrelevant because the application proposals cannot gain planning permission

#### **PUBLIC NUISANCE**

PN1

I have no objection to the principle but compliance is far too easy – a four hourly bus service throughout the day would be 'regular'. To be of much effect in reducing public nuisance and be attractive to users experience elsewhere suggest it should require a service every 10 minutes at least.

PN2

This condition does not make sense. It might make sense if the word 'ticket' is replaced by 'ticketholders' and 'only' is added after 'site'. Even so, 28% is far too small a percentage to do much to reduce public nuisance. A requirement 50% would be more appropriate. As written, this condition is impossible to police. Also it does not identify 'local train stations'.

PN3

This condition is far too weak (see above). Public transport cannot merely be 'promoted' whatever that means – its use must be a requirement (see PN1 and PN22).

PN4

I object. This condition, along with PN5 and PN6, is a prime example of a so-called 'condition' that in practice makes no demands on the applicant as to content, yet it is the content (in this case of the TMP) that is fundamental to whole question of public nuisance. If Licensing has any purpose as a publicly accountable exercise it has to set detailed conditions that protect the public from nuisance. This means, for example, that the Licence has to limit the use of unsuitable routes and set the time of day limits for exit and entry – it cannot be left to a later private arrangement in which the public has no say. Traffic impacts on the National Park are anyway fundamental considerations in the assessment of public interest that the Licensing Authority has to undertake to determine public interest, so this matter cannot be dealt with by this vague condition.

P5

I object. The same comment applies as in respect of PN4. Noise is another key impact on the national park and needs to be publicly assessed before to it is possible for the Licensing Authority to identify whether there is a public need for the proposal.

PN6

I object. The methodology cannot be simply conditioned without key details being known at application stage - otherwise the public (and the Authority) have no assurance that the noise conditions are feasible. This matter is also relevant to the assessment of impact on the National Park.

PN10 and PN11

I object. These noise levels are clearly unacceptable in the context of the statutory purposes of national parks and also of national policy for the parks. They pay no regard to the legitimate and paramount interests of the public seeking to use the National Park for the purposes for which it has been established. There is no public interest reason for the Licensing Authority to permit them to be overridden by the application proposals (which do not even have planning consent and cannot get it). This is another example of a critical consideration that the Licensing Authority cannot step aside from simply by positing a vague condition without questioning the implications for the statutory purposes on national parks. The Authority is required to take such matters into account in assessing the whether the proposal is in the public interest.

PN17.

This condition should apply to all event days, if the Licensing Authority did that, it might indicate that it acknowledges the rights of other people seeking to use the national park for the purpose for which is has been designated have been taken into account.

#### THE PROTECTION OF CHILDREN FROM HARM

The content of my objection has no implications for this Objective other than as an element of the function of a Regulatory authority in a national park.



**Matthew Tucker**

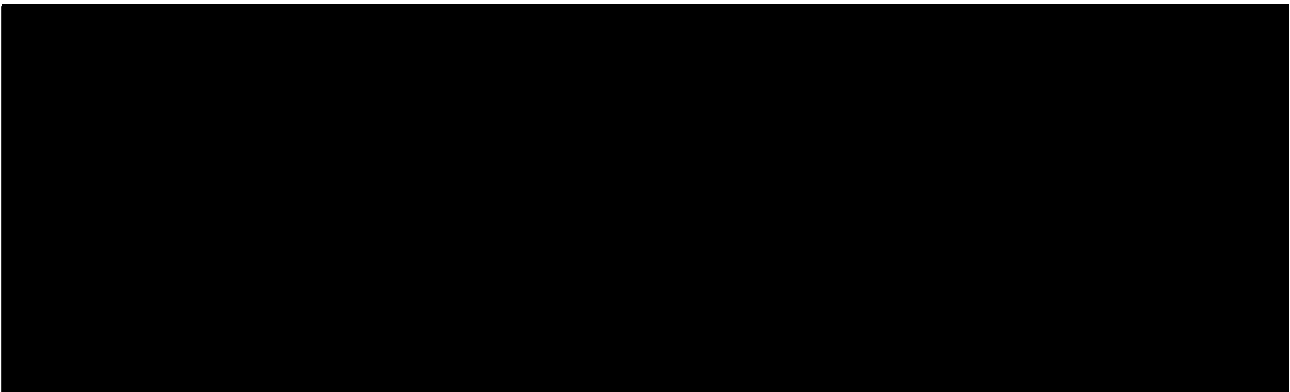
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**From:** Sue Cook [REDACTED]  
**Sent:** 10 January 2018 16:46  
**To:** Matthew Tucker  
**Subject:** RE: BoomTown Festival UK Limited (New premises Licence Application - Matterley Bowl Alresford Road, Winchester, Hampshire)

No 12 Hewlett Close  
Twyford  
Winchester  
Hampshire  
SO21 1PR

It should be on the Council website but no problems happy to assist and see you tomorrow at 18.00!

Sue Cook  
MINI Sales Executive



**From:** MTucker@winchester.gov.uk [mailto:MTucker@winchester.gov.uk]  
**Sent:** 10 January 2018 16:42  
**To:** Sue Cook  
**Subject:** RE: BoomTown Festival UK Limited (New premises Licence Application - Matterley Bowl Alresford Road, Winchester, Hampshire)

Dear Cllr Cook - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

Matt Tucker  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

From: Sue Cook [REDACTED]  
Sent: 01 January 2018 20:09  
To: Licensing  
Cc: David Ingram; Matthew Tucker  
Subject: BoomTown Festival UK Limited (New premises Licence Application - Matterley Bowl Alresford Road; Winchester, Hampshire

Dear Licensing Committee, Mr D. Ingram, Mr M Tucker

I should like to formally put in writing the reasons that I am objecting with reference to the BoomTown Festival New Premises Licence Application (including conditions suggested by the applicant and a Plan of the Proposed Licensable Area draft for the site) This is a formal representation that I am submitting on behalf of my constituency Colden Common and Twyford as to the request that has been made on the application.

I am aware that to have any objections considered they have to fall into the four licensing objectives which are:

- The prevention of Crime and Disorder.
- Public Safety.
- The prevention of Public nuisance.
- The protection of children from harm.

So firstly, let's start with the Application on the increase of numbers, so we are talking about an increase of 15,000 plus the addition of the 1000 for the Sunday tickets for the local residents although a fan of the Sunday ticket for residents (At what cost)? A minor detail perhaps you may say and what do they call Local 500 yards, a mile or two anyway back to the increase of the request of the numbers.

What many find quite alarming is the speed in which this Festival has grown, as I do remember and I'm sure that some will also recall being told by the QC last year that this festival all started being discussed in the Kitchen around the table by the family and here we are today taking about 76,000 persons attending a Very Successful Yearly Event. Let's look back at the figures and see the growth....

So, 2012 and 2013 Boomtown operated under the Premises Licence held by Peveril Bruce (PREM 500) which had a capacity of 29,999.

For 2014, 2015 and 2016 Boomtown operated under their own Premises Licence (PREM 655) allowing for a capacity of 38,000 45,000 and then 49,999 respectively.

For 2017 Boomtown operated under the Premises Licence (PREM 709 allowing for a capacity of 59,999 WOW What Phenomenal Growth over such a short period and Yes Winchester City Council has embraced it, and why not!! I like my daughter have attended the Festival more than once and thoroughly enjoyed it. BUT.....

It brings me back to April 2016 the licensing Authority refused an application by the same Applicant Boomtown Festivals (UK) Ltd for a much smaller increase PREM655 from the 49,999 to 54,999 and that was an increase of a mere 4,999 persons because as we understand an estimated 865 additional vehicle movements.

The licensing Authority stated that these could have an adverse impact on the Local Highway network which could present a Public Nuisance in particular and this would cause congestion close to the site coming and going to the Event and to those living nearby this would cause a Public Nuisance I think you all know where I'm going with this well that's now in the past and here we are being asked for a whopping additional number of 15,000 plus the

Sunday tickets! Still the applicant has failed to fully demonstrate the additional audience capacity could and would not have a detrimental effect on Highways and the Local residents thus this falling under the heading of the Prevention of Public Nuisance.

In the Licensing Authorities owns words back in 2016 the position was "This could present a Public Nuisance in particular as a result of congestion as previously stated"

SO PLEASE WHATS THE DIFFERENCE NOW!!

Still going with the Numbers, don't we think that it's being over confident that we have in the following paragraph another request to increase from what would be the 75,000 should they get this granted and in 2019 they would like another 4,999?

Let's get the Festival Running like Clock Work with the existing numbers 59,999 and then maybe in years to come back with the Application.

Music Levels have also been asked to be increased once again the last two years the surrounding Villages have been very fortunate and that has been down to an Act of God Itys called Wind Direction and fortunately the wind what there has been blew in the favour of the Villages and the festival had very few complaints on the sound side. There have been other years when they have not been so fortunate and that is an area which I know is very concerning to all and as this is the case I certainly am fully aware that BoomTown have been quoted there have been complaints and dissatisfaction from the Acts and guests that they feel that the music is not loud enough. With regard to nearby Villages and even Villages such as Twyford a higher-Volume would come at a price that would not be comfortable to those residents and as I understand the revised Licensing Policy on the 13<sup>th</sup> April 2016, The Prevention of Public Nuisance surely there should be stricter conditions reference to noise in the Licensing Policy Section C4 I think Its page 25 its states "The stricter condition with regard to noise control would be expected for sites within the South Downs National Park which seeks to protect and enhance tranquillity" Don't really believe that when Boomtown is in Full Swing that would be the case would it?

Good Old friend again the Prevention of Public Nuisance comes into play again!!!!

Isn't there also a Licensing Act 2003 I'm sure it is written by the Home Office in April 2017 which goes something like this 9.38 Paragraph... In determining the Application with a view to promoting the Licensing Objectives in the overall interests of the local Community the licencing Authority must give appropriate weight to:

- Steps that are appropriate to promote the licensing Objectives.
- The representations ( including supplying information by ALL parties.
- GUIDANCE.
- Its own statement of Licensing Policy as to enlarged areas which would infact be close to Local Communities that also concerns residents so one could say there could be another breach as did the MOTOCROSS of Nations Event where residents were assured it would have NO Impact and it clearly did!

For the record there doesn't appear to be a Noise Management Plan available for the Members, Members of the General Public to consult upon. In addition with the of numbers where is the Traffic Movements surely should that not be also available for Members and Members of the General Public?

Now as for the request for an additional day of opening, I would welcome this and I've discussed this with a numbers of residents and the general feeling was as long as it is Managed accordingly. I would like to bring to your attention what was written by Caroline Johnson (BoomTowns Community Liaison Officer) in her email as to the opening A Day Earlier on the Wednesday.

The current conditions restrict customer access to the site between Thursday and Monday. We would like to open one day earlier to allow a limited number of ticket holders to arrive on the Wednesday, mainly via public transport, to a restricted camping area that does not include access to the full site. Wednesday opening has been suggested on numerous occasions by both our customers, as well as local residents. There needs to be more clarity in this as exactly timings, location and surely they should be encouraging Families to arrive early as BoomTown are always saying that they are encouraging Families to be a part of this Festival. Plus there would need to be a lower sound of music in the area as this could have objections from close by villages and their Families as this encroaches upon the earlier part of the week and could then be deemed as a Objection along the realms of Public Nuisance.

I was a tad concerned as to the next paragrapg in that section as to...

Provision for some licensable activities will be applied for but this will not be extensive Quote! What might this mean?

There is one other item that still rather concerns me and I know that it is not on a Licensing Theme although it concerns all that work in that Department!

It hasn't gone unnoticed the amount of additional hours that ALL the Officers put in as soon as the BoomTown Application comes and in particular the considerable amount of extra hours that are given whilst the Festival is in Full Flow. I am not the only Councillor to make this comment and although it might not seem the write time to be saying this but from me personally perhaps its time that maybe an additional pair of hands comes to the party when this Event is applied for and is running and it shouldn't be the tax payer that foots the bill. Perhaps that is something for certain Heads of Departments to look into!!!

We all know that BoomTown is not going away and to be honest with you I don't wish for it to go away and be held elsewhere but, the Management Team need to raise the bar! I applaud the checking of drugs that has now been introduced although saddened they actually manage to get them in there in the first place. In addition the better searching procedures and the Amnesty when it comes to people placing Drugs in the Bins before they go in. Once again Applaud this and keep it going.

I have no doubt in saying this that there will be other Applications by not just the BoomTown Team to hold an Event but perhaps by the landowner himself with the newly bought additional land that is adjacent to Matterley and the Estate and why not?

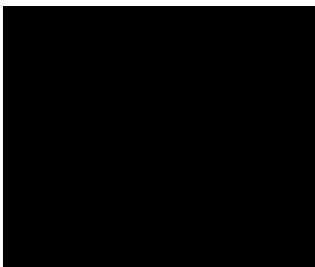
This Application has different asks so please I know that it has taken some time for you to read this email but all the above makes sense and when you get to vote on each part of the Application please remember this email and more importantly YOU have the knowledge and the Guidance of the licensing Acts to adhere to and I know that your decisions will be the right ones.

Thank-You for allowing me to send these comments about the Application One for and others against as per the Licensing Objectives.

I look Forward to receiving an acknowledgment upon my email being received in a timely manner.

CLLR Sue J Cook  
Ward Councillor  
Colden Common and Twyford

Sue Cook  
MINI Sales Executive



**Matthew Tucker**

---

**From:** Edward Ridley [REDACTED]  
**Sent:** 10 January 2018 16:47  
**To:** Matthew Tucker  
**Subject:** Re: Prevention of Public nuisance

Dear Mr Tucker,  
Thankyou for your e-mail . My address is: Apple Barn  
Dark Lane  
Cheriton  
SO240QG  
kind regards  
Edward Ridley

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**From:** [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)  
**Sent:** 10 January 2018 16:42:03  
**To:** [REDACTED]

**Subject:** RE: Prevention of Public nuisance

Dear Mr Ridley - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

---

**From:** Edward Ridley [REDACTED]  
**Sent:** 04 January 2018 15:50

**To:** Licensing

**Subject:** Prevention of Public nuisance

Dear sir

I wish, on the prevention of public nuisance licensing objective, to object for the following reasons:-

1 Since April 2016, to comply with your Revised Licensing Policy, you should have been imposing stricter conditions with regard to noise control on sites which are within the SDNP which seeks to protect and enhance tranquility. This site is in the SDNP so stricter conditions should be adopted.

Further, this application does not comply with your current Licensing Policy because it has the same terminal times as pre-2016 licences and PN11 contains noise levels which are higher than the equivalent condition in pre-2016 licences - the low frequency noise would be even worse than in the past.

2 One extra night of amplified live and recorded music would cause one extra night of nuisance to local communities.

3 Greater numbers, no matter how juggled, would cause higher traffic volume, worse congestion causing additional nuisance to road users.

4 The application should be refused on the grounds of its failure to comply with the Licensing Objective "The Prevention of Public Nuisance".

Yours faithfully

Edward Ridley

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**Matthew Tucker**

---

**From:** A Whetman [REDACTED]  
**Sent:** 10 January 2018 16:53  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown PREM709, 16/00621/LAPRMN

Many thanks for your email.  
My address is  
Yew Tree Farm  
Nr Alresford  
SO24 0NZ  
[REDACTED]

> On 10 Jan 2018, at 16:41, <MTucker@winchester.gov.uk> <MTucker@winchester.gov.uk> wrote:

> Dear A Whetman - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

> Regards

> Matt Tucker  
> Interim Licensing Manager  
> Environmental Health & Licensing Department Winchester City Council  
> City Offices, Colebrook Street, Winchester, SO23 9LJ

> T. 01962 848188 (Ext. 2188)  
> F. 01962 840586  
> M. 07980 732143  
> E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

> -----Original Message-----

> From: A Whetman [REDACTED]  
> Sent: 01 January 2018 13:05  
> To: David Ingram  
> Subject: Boomtown PREM709, 16/00621/LAPRMN

> I wish to register my objections to the to the proposals outlined by Boomtown in their license application referenced above.

> At the meeting in Itchen Abbas Village Hall it became clear that Boomtown wanted to increase the noise levels (to increase the pleasure and experience of their guests!!!!) by a factor of five dB. This will almost double the noise levels. I was surprised that this was not mentioned in the details given out in the licence application. For this reason alone the application should be rejected.

> The extra day is a working day for the majority of the people living in this village and other nearby villages. They do not need to have their sleep disturbed by the noise of the festival and in particular the bass beat which is easily heard inside this house.

> To allow extra days longer hours and more dB does seem to fly in the face of the Winchester city council's adoption of revised licensing policy in April last year. That advocated stricter conditions for noise control in the South Downs National Park.

> The argument that the festival brings more trade to Winchester is very debateable. From Beauworth it is easier to go to Petersfield than Winchester during the days when Boomtown is operating. On the Monday following the end

of the festival the 272 has always been a problem Despite the best efforts of the police and marshals. The gain may be a few last minute purchases in Winnall but the loss is people from local villages going elsewhere.

> During the period of the festival and for some days before and afterwards, parts of the South Downs Way is not accessible. Including the car park cheese foot head is not open for many days after the festival. This is a much used car park by walkers and sightseers enjoying the benefits of a national park.

>

>

>

>

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>

---

**Matthew Tucker**

---

**From:** JACQUI SQUIRE [REDACTED]  
**Sent:** 10 January 2018 16:54  
**To:** Matthew Tucker  
**Subject:** Re: RE: APPLICATION FOR A NEW PREMISES LICENCE FOR BOOMTOWN AT MATTERLEY BOWL, 2018 – 2019 – INCREASE IN NUMBERS OF ATTENDEES

Good afternoon Matt

my address is

4 Chandos Terrace  
Avington  
Winchester  
SO21 1DD

Hope this is OK

kind regards

Jacqui squire

-----Original message-----

**From :** MTucker@winchester.gov.uk  
**Date :** 10/01/2018 - 16:42 (GMT)  
**To :** [REDACTED]  
**Subject :** RE: APPLICATION FOR A NEW PREMISES LICENCE FOR BOOMTOWN AT MATTERLEY BOWL, 2018 – 2019 – INCREASE IN NUMBERS OF ATTENDEES

Dear Mrs Squire - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. MTucker@Winchester.gov.uk**

**From:** JACQUI SQUIRE [REDACTED]  
**Sent:** 05 January 2018 15:02

**To:** Licensing

**Subject:** APPLICATION FOR A NEW PREMISES LICENCE FOR BOOMTOWN AT MATTERLEY BOWL, 2018 – 2019 – INCREASE IN NUMBERS OF ATTENDEES

Dear Sir

I write with respect to the above application, which I understand will, if granted, supersede the current Premises Licence for this year 2018.

I wish to object to this application on the grounds of public safety within the villages surrounding Matterley Bowl, particularly in the upper Itchen Valley. I fear that the increased number of vehicles



arriving will cause even more problems than they have done in the past, particularly in 2017 and 2016.

Whereas in 2014 I noted by e-mail to [local\\_community@boomtownfair.co.uk](mailto:local_community@boomtownfair.co.uk) that:

"This year the organization has been good with regard to warning notices about road closures, which were clear and were installed in plenty of time – well done!"

by 2016 with increased numbers of festival-goers, in an e-mail to the Upper Itchen Valley Society I wrote that:

"Traffic Management

In the last few years the festival has managed traffic much better than in the early days. The placing of signs throughout the Itchen Valley advising of gap closures on the A31 have proved effective (thanks to your efforts).

However, this year the traffic jams seem to have been much worse than ever and I understand there were long tail backs on the M3 north and southbound. Certainly there was a long tail back on the B3047 from the turning to Easton up to the junction at the Cart and Horses on Monday. It took one of my neighbours over an hour to get into Winchester on this route and the M3/A34 appeared gridlocked.

I had no direct experience of the A31 or A272 myself.

The worst aspect for residents of the Itchen Valley seemed to have occurred on Thursday, the opening day of the Festival, when the lanes around Avington and Easton were full of cars trying to get to Boomtown. For the most part they were driving very fast and none of them were local. I was walking from Avington through Easton to Winchester on Thursday morning and was horrified at the driving. I understand that there was an error on the Festival website which gave the wrong postcode so drivers were following their satnavs regardless. Some cars even tried to access the festival up the track to Avington Golf Course and over Robert Stent's land.

Would it be possible in future years for the local signs in the Itchen Valley to say "No access to Boomtown - residents only" as well as advising of the gap closures (as well as ensuring they get the post code right on their website)?"

Following the 2017 event, when attendance was increased to 60,000 I wrote to the Upper Itchen Valley Society and to Jackie Porter, County Councillor, that:

"TRAFFIC:

The traffic management scheme inevitably closes the A31 gaps each year, which causes an interruption of 'normal' life. One has to find a way round (longer) to get from A to B – not just this year but for the past 9 or so years the festival has been happening.

On Monday 14th August the A31 was closed to normal traffic, which was re-routed via the B3047. I imagine this must have had quite an impact on the villages along the route between Kings Worthy and Alresford.

On a personal note some weeks ago I had arranged a visit from some of my family on Monday 14 August before I realised that the traffic would be such that it would make life very difficult for them to reach me in Avington. We were planning to visit Winchester but now this visit has had to be rearranged.

In 2016 the wrong GPS coordinates resulted in very many cars wrongly trying to access the festival site by driving through Avington Golf course which caused mayhem in the lanes around Avington and the rest of the Upper Itchen Valley. This year, 2017, the organisers told us that this had been sorted but unfortunately they were wrong. On Thursday 10th August many cars were driving at high speeds through the villages, particularly Avington and Easton, following their GPS. It was frankly dangerous to venture out during Thursday."

Whilst I accept that in 2017 part of the problems on the first day of the Festival were caused by weather conditions which prevented early access to the site, I still consider that the traffic management scheme for the Festival is wholly inadequate and constitutes a public nuisance to those living in the surrounding area. This can only increase in intensity if the numbers attending rise to the proposed levels.

I therefore hope that you will take this objection into consideration when reviewing the application. I would be grateful if you could acknowledge receipt of this e-mail by return.

Yours faithfully

Mrs. Jacqui Squire

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**Matthew Tucker**

---

**From:** Angus Macpherson [REDACTED]  
**Sent:** 10 January 2018 17:09  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown Festival UK Limited 2018

Dear Mr Tucker,  
Orchard House, Longwood, Owslebury, Winchester, SO21 1LB.  
Sincerely, Angus Macpherson

Sent from Samsung Mobile on O2

----- Original message -----

**From:** MTucker@winchester.gov.uk  
**Date:** 10/01/2018 16:42 (GMT+00:00)  
**To:** Angus Macpherson  
**Subject:** RE: Boomtown Festival UK Limited 2018

Dear Mr and Mrs Macpherson - I have been asked to confirm your address in order to ensure your objection is valid under the Licensing Act 2003.

Regards

Matt Tucker  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ  
T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

**From:** Angus Macpherson [REDACTED]  
**Sent:** 06 January 2018 20:47  
**To:** Licensing  
**Subject:** Boomtown Festival UK Limited 2018

Dear Sirs,

We write to voice out objection to the latest proposal to extend the Boomtown Festival licence for the Matteredly Bowl. We live on the Longwood Estate which you access off the Longwood Road by a lodge gate.

In our view the application should be approached by the Licensing Authority in the context of the several motor cross events which take place roughly on the same site. We note that the application is to increase the number of persons who will be permitted onto the site, an extra night, higher noise levels and that the proposed licence area would be larger than

that of the current licence, i.e. onto Ovington Down farmland, property that the owner has recently acquired.

It is a matter of record that the Boomtown authorities were not able to cope with the number of people at last year's event. Boomtown must therefore have some gall to make representations to the Licensing Authority to increase the number of persons *the following year*. In these circumstances the local community would ordinarily expect the Licensing Authority to reject the application.

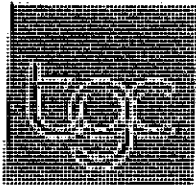
But our objection to the proposal is more deeply felt than that. The level of disruption which the Boomtown event causes on existing numbers is substantial. As a couple without any eligible children / young persons living with us, we have never been to the Boomtown event. Yet we have supported it as being an acceptable invasion of our peace for a limited period, and because it represents an understandable use of a particular geographical feature in the vicinity. But the owner of the land and the Boomtown authorities ask for more, year in, year out, a process which never seems to stop. The recent change in ownership of Ovington Down farmland represents an ominous development. The latitude which we originally gave and which the Licensing Authority gave, should not be exploited anymore. We remind the Winchester City Council and the Licensing Department of its responsibilities to people in the neighbourhood who have to endure traffic pollution, disruption to journeys, filthy roads, terrible delays in getting to work and getting home, not to mention the noise. Clearly the noise levels will increase. Does the Winchester City Council have to accede to applications such as these in order to increase its revenues? I should think not if it is acting responsibly.

The fact of the matter is that the existing situation amounts to a public nuisance. The journey from Longwood Road to Winchester via the A272 is substantially lengthened either way. There are 2 sets of lights between us and the Mattingly Bowl for the protracted duration of the festival. The roads are congested, particularly the lanes. The alternative route into Winchester along the Morestead Road is likewise congested. For those that live in Cheriton, the journey to Winchester is a nightmare: the A272 and the A31 are impossible. The alternative route via Itchen Abbas is a country lane. If the licence application is allowed, that public nuisance will increase. This is part of the South Downs National Park. That does not mean that it is a resource which is ripe for exploitation to enable the generation of revenue. It means it is something to be preserved for the good of all – not just a section of the community.

Yours sincerely

Anne and Angus Macpherson





temple garden chambers

Royal Trinity Hospice  
*Living every moment*

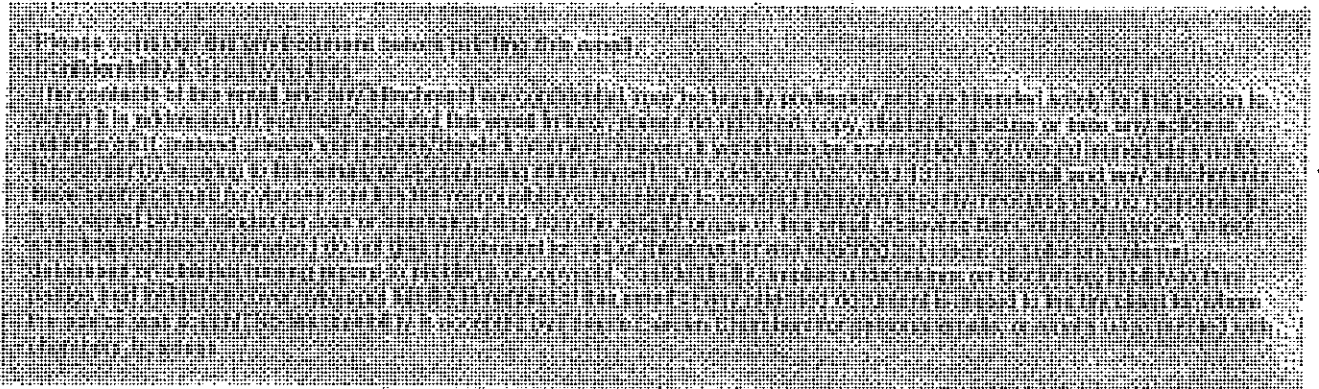


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**Matthew Tucker**

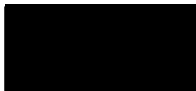
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**From:** Robert Stent [REDACTED]  
**Sent:** 10 January 2018 17:18  
**To:** Matthew Tucker  
**Cc:** [REDACTED]  
**Subject:** RE: Boomtown

Dear Mr Tucker  
My address is as follows;  
Park farm, Avington, Winchester, Hampshire SO21 1BZ

Regards

Robert Stent



[www.avingtongolf.co.uk](http://www.avingtongolf.co.uk)  
[www.avingtonholidays.co.uk](http://www.avingtonholidays.co.uk)

**From:** [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk) [mailto:MTucker@winchester.gov.uk]  
**Sent:** 10 January 2018 16:42  
**To:** [REDACTED]  
**Subject:** RE: Boomtown

Dear Mr Stent - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

Matt Tucker  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

**From:** Robert Stent [REDACTED]  
**Sent:** 05 January 2018 16:10  
**To:** Licensing  
**Cc:** [REDACTED]  
**Subject:** Boomtown

I would like to raise my concern regarding the licensing objectives for the recent application regarding BoomTown Festival UK.

1. Prevention of Crime and disorder. Previous history suggest the organisers have struggled with the existing numbers. The disruption to those living in the area and trying to run businesses is already significant.
2. Public Safety. Again previous history suggest the organisers have struggled with existing numbers. Those trying to gain access have caused significant disruption to local residents. In my case lost visitors have tried to use business car park to stay overnight and urinating in the car park.
3. The prevention of public nuisance. See above (together with drugged and paranoid young leaving the festival). Noise levels are already disturbing and the suggested increase just for the enjoyment of those at the event is not fair to those who live in the area especially at the levels being asked for.
4. NA

I do believe it is time for the council to stand up and say enough, until such time as the event runs smoothly. Local businesses suffer significant loss of income during the weekend due to not being able to hold other events or locals/visitors are less eager to travel in the area

Robert Stent



[www.avingtongolf.co.uk](http://www.avingtongolf.co.uk)  
[www.avingtonholidays.co.uk](http://www.avingtonholidays.co.uk)

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**Matthew Tucker**

---

**From:** Ross Curwen-Bryant [REDACTED]  
**Sent:** 10 January 2018 17:27  
**To:** Matthew Tucker  
**Subject:** Re: BOOMTOWN LICENCE APPLICATION DECEMBER 2017

Dear Mr Tucker

Our address is:

4 Hockley Cottages  
Cheriton  
Nr Alresford  
SO24 0NU

Yours sincerely  
Rosslyn Curwen-Bryant

---

**From:** [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)  
**Sent:** Wednesday, January 10, 2018 4:42 PM  
**To:** [REDACTED]  
**Subject:** RE: BOOMTOWN LICENCE APPLICATION DECEMBER 2017  
Dear Mr and MRs Curwen-Bryant - I have been asked to confirm your address in order to ensure your objection is valid under the Licensing Act 2003.

Regards

Matt Tucker  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ  
T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

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**From:** Ross Curwen-Bryant [REDACTED]  
**Sent:** 07 January 2018 18:11  
**To:** Licensing  
**Subject:** BOOMTOWN LICENCE APPLICATION DECEMBER 2017

Dear Sirs

We wish to register our objection to the above application because we do not consider that it meets the licensing objective of Prevention of Public Nuisance. Specifically:  
The application to allow entry and provide entertainment until midnight for an additional night (Wednesday) would cause additional nuisance for local communities, by extending traffic congestion and speed restrictions by one extra day and potentially one more night of noise nuisance.



We understand that the proposed increase in noise levels will present a significant increase to approximately four times the sound intensity originally permitted in PREM655. It is of concern that the potential impact on local communities seems to carry less weight than ensuring the satisfaction of the audience and musicians.

The application to increase attendance numbers from 59,999 in year 2017 to 76,000 in 2018, rising to 79,999 in 2019 will inevitably result in an increase in vehicle movements, impacting negatively on the ability of local residents to move about their daily business. This must have a detrimental impact on the licensing objective of prevention of public nuisance caused by traffic congestion.

This site is within the South Downs National Park which, we understand, seeks to protect and enhance tranquillity. We fail to understand how the extensions requested pay any heed to these aims.

Yours faithfully

Martyn and Rosslyn Curwen-Bryant

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---

**Matthew Tucker**

---

**From:** Geoff Thorpe [REDACTED]  
**Sent:** 10 January 2018 17:38  
**To:** Matthew Tucker  
**Subject:** RE: New Premises Licence fo MatterleyBowl Airesford Road Winchester Hants

Dear Mr Tucker,

We would advise that our address is 7 Colebrook Place Winchester SO23 9LP.

Regards,

GM & JW Thorpe.

On 10 Jan 2018 16:41, <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> wrote:

Dear Mr and Mrs Thorpe - - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

**From:** Geoff Thorpe [REDACTED]  
**Sent:** 01 January 2018 17:36  
**To:** Licensing  
**Subject:** New Premises Licence fo MatterleyBowl Airesford Road Winchester Hants

We wish to object to the above Application submitted by BoomTown Festival UK Limited due to the increase in public nuisance that the proposals will cause.

The three parts of the Application to which we object are as follows:

1. **Increase Capacity by 15,000 people** - Although the site may be able to be re-configured to cope with 75,000 people, the surrounding public roads cannot. This has been demonstrated every year with the traffic congestion in the BoomTown area on the A31 and A272 in which causes significant public nuisance to the travelling public and businesses. The last day is the worst with major traffic congestion as thousands of vehicles leave the site via public roads and roundabouts that do not have the capacity to handle them. This restriction cannot be solved by any traffic management plan.

2. **Duration of the Event** -- the proposal to extend the current 4 days to 5 increases the nuisance to businesses and the general public caused by noise and additional traffic for yet another day.

3. **Noise Levels** -- The Application proposes to increase the low frequency noise levels (i.e. the noise that travels the farthest) by 3db between the hours of 11am and 9pm and 11pm to 4am. We object to this increase in public nuisance to the residents of the adjacent towns and villages particularly during the unsocial hours of 11pm to 4am. We are already disturbed by the existing noise levels during these hours and do not wish it to be made worse.

In summary, whilst we have no objection to the festival as such, we feel that it has reached capacity and further increases in the public nuisance from both the traffic and sound levels at unsocial hours is unreasonable and unacceptable.

GM & JW Thorpe.

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**Matthew Tucker**

---

**From:** cj.ashcroft [REDACTED]  
**Sent:** 10 January 2018 18:19  
**To:** Matthew Tucker  
**Subject:** RE: Objection to Boomtown application for 2018

My full address is 2 graces farm, martyr worthy SO21 1DX.

Having satisfied the provisions of the Act, please confirm that my full address will not appear in the public committee report.

Thank you.

Sent from my Samsung Galaxy smartphone.

----- Original message -----

**From:** MTucker@winchester.gov.uk  
**Date:** 10/01/2018 16:41 (GMT+00:00)  
**To:** [REDACTED]  
**Subject:** RE: Objection to Boomtown application for 2018

Dear Mr Ashworth - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

**From:** Christopher Ashcroft [REDACTED]  
**Sent:** 02 January 2018 15:20  
**To:** Licensing  
**Cc:** Jackle Porter; Itchen Valley Parish Clerk  
**Subject:** Objection to Boomtown application for 2018

Further to attending the informal meeting with representatives of the applicant on 21/12/17, I write to object to the above application on the following grounds (which should all be regarded as coming within the licensing objective of 'The prevention of public nuisance'):-

1. To avoid 'customer dissatisfaction', the applicant proposes to increase the lower frequency sounds levels. This I assume will involve more bass, which is the sound which most aggravates those living close to the event. Put simply, the applicant argues that the spectators 'at the back' can't hear the music of the headline acts to the perfect levels they require and so it must be louder. Well, from the residents viewpoint, there is much about this event that is not perfect but we are required to compromise to enable the enjoyment of others - surely the acts and their fans can equally compromise and live with the existing levels. Even if granted, the related proposal to allow more people to attend will presumably result in greater numbers listening to the headline acts. Consequently, those greater numbers will mean the 'people at the back' will be even further away, and so we can anticipate a similar request for a further noise increase next year! This proposal and the reasoning behind it should be rejected now.

2. The proposal to begin the event one day earlier is apparently to spread the traffic and ease admission pressures, by allowing certain ticket holders on site. Whilst the theory of this seems attractive, it does give the event an extra day and, however well it is managed, will still involve a further day's disruption to local traffic. The Sub Committee will need to be certain that the proposed benefits truly outweigh the drawbacks and not be seduced by optimistic traffic projection figures submitted by the traffic consultants, who of course get their brief (and their fee!) from the applicant.

3. The traffic leaving the site after the event has been and will continue to be a major problem for anyone wanting to go about their normal business - and I strongly doubt that the earlier opening will have any effect on the Monday departure chaos. For those of us who need to attend livestock twice a day, every day, in that area, along with those who have medical appointments or indeed any other time critical commitment, it is a major problem and one that will only be exacerbated by the proposed increase in numbers. The applicant states that some of these numbers will be additional site staff and others restricted to coach travel only, but however you massage the figures, there will be a few thousand more vehicle movements on a local road network that, even with past levels of traffic, shows its fragility every time there is any sort of problem and can so easily result in gridlock - and any resident of this part of the Winchester District will know from issues in recent memory that the word 'gridlock' is no exaggeration.

In conclusion, the simple truth is that the applicant wants more of everything - more noise, more attendance, more days. But perhaps the greatest concern is that, if granted, these arguments for an increase could easily be rolled out again next year, and the year after etc etc, until attendance tops the 100,000 figure, which I am sure is the applicant's mid-term aim. I am fully aware that the Licensing Sub-Committee can only consider the application before it and cannot speculate about what may or may not be submitted in the future, but I do hope Members will exercise their customary good sense in seeing the 'direction of travel' of this event and realise that, not only are there sufficient grounds to refuse this current application, but that such a refusal will also act as a major step towards restraining the inappropriate aspirations of the applicant for this site in the future.

Please would you inform me of the date, time and venue of the Licensing Sub-Committee meeting at which this application will be considered.

Thank you

C J Ashcroft

Martyr Worthy

**Matthew Tucker**

---

**From:** Bruce Newson [REDACTED]  
**Sent:** 10 January 2018 18:20  
**To:** Matthew Tucker  
**Subject:** Re: BOOMTOWN/PREVENTION OF PUBLIC NUISANCE

Dear Mr Tucker,  
Thank you for your e-mail.  
My postal address is:  
**FIR TREE COTTAGE  
WOOD LANE  
BRAMDEAN  
NEAR ALRESFORD  
HAMPSHIRE  
SO24 0JW**

Yours sincerely,  
E.A. Newson (Mrs).

**From:** [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)  
**Sent:** Wednesday, January 10, 2018 4:41 PM

**To:** [REDACTED]  
**Subject:** RE: BOOMTOWN/PREVENTION OF PUBLIC NUISANCE

Dear Mrs Newson - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

**From:** BRUCE NEWSON [REDACTED]  
**Sent:** 30 December 2017 16:50  
**To:** Licensing  
**Subject:** BOOMTOWN/PREVENTION OF PUBLIC NUISANCE

Dear Sir,  
BOOMTOWN/PREVENTION OF PUBLIC NUISANCE

As a member of the public and a payer of Winchester City Council tax, I would like to raise one or two points regarding Boomtown.  
Firstly, the closing date for comments from the public has been badly chosen. The closing date is advertised in the January edition of our Benefice magazine which is not due for distribution until the 1st January; lots

of local residents may, therefore, miss the closing date. Secondly, local residents may have other issues on their mind over the New Year period; this should have been considered when the closing date was set.

Regarding Boomtown itself, three years ago the constant thud of the bass music over the period of the festival made me ill. I live in Bramdean so you can appreciate how far the sound of the bass music travels. For the last two years, for my own health and sanity, I have had to go away over the period of the music festival. It seems unfair that I am driven out of my own home because of the inescapable noise nuisance caused by the music festival so that someone else (who?) can make a lot of money.

Who exactly benefits from Boomtown apart from the promoters and the land owner? Does the event actually bring prosperity to Winchester itself or neighbouring towns? As far as I can see, local residents have to put up with the noise, the traffic chaos and disruption so someone else can make a profit. Festival goers arrive at the site, having paid a lot of money to a promoter for a ticket, spend more money on site during the festival and then depart for their own homes. Does any part of that process generate revenue for Winchester?

And what about WCC's green credentials? How does the City Council justify tens of thousands of additional vehicles arriving and leaving the Boomtown site; long traffic queues with vehicle exhausts pumping out pollution into our green and pleasant land? And the rubbish left behind after the event? I can't have my household wheelie bin emptied more frequently than once a fortnight (and I'm a council tax payer) but Boomtown can produce tons of litter. Who disposes of that?

The suggestion of raising the attendance limit to 79999 and the duration of the music festival to six days, with live music until 4 a.m. on two nights, is outrageous.

I trust that you will give due consideration to the points I have raised and look forward to your reply in due course.

Yours faithfully,  
E. A. Newson (Mrs).

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**Matthew Tucker**

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**From:** Susan Herdman [REDACTED]  
**Sent:** 10 January 2018 18:37  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown festival, Matterley Bowl- August 2018

Hi there, 3 Raebarn Close, Cherlton, SO24 0QE. Thanks, Sue Herdman

---

**From:** [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)  
**Sent:** 10 January 2018 16:42:09  
**To:** Susan Herdman  
**Subject:** RE: Boomtown festival, Matterley Bowl- August 2018

Dear Ms Herdman - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker**  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ  
T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

**From:** Susan Herdman [REDACTED]  
**Sent:** 05 January 2018 11:47  
**To:** Licensing  
**Subject:** Boomtown festival, Matterley Bowl- August 2018

To whom it may concern,

I am writing to express my concerns about specific aspects of the planning application for this festival:

1) The proposed increase to the number of festival goes to 75,000 in 2018 then 79,999 in 2019. My objection to this increase is based upon the detrimental impact on normal life to people who live in surrounding villages when festival goers travel to and from the festival and the resulting difficulties in using local roads. Local residents describe feeling trapped in the village during the days when people are arriving and leaving the festival. There is also a risk to public safety to people who live in these villages when emergency vehicles cannot travel quickly on local roads due to far larger numbers of vehicles using the roads. Any increase in number of people attending the festival will only increase these difficulties, particularly if the weather is wet and there are any difficulties accessing the site.

2) The proposed increase in sound levels.

My objection to this increase is based upon the fact that local residents can already hear the music in their homes and it is the booming base notes that already travel miles across the countryside. It is already disruptive to normal life in a rural village to have music booming all day until 4am in the morning, it is unreasonable to expect to increase these noise levels. If the current sound levels are not adequate for the bands that Boomtown wish to appear at their festival, I would suggest that this indicates that perhaps a rural field adjacent to a National Park is not an appropriate venue for this type of event.

Our experience with the sound levels at the recent MotoX event, held in the same spot, when music could be clearly heard in people's homes over the sound of the TV makes me very concerned that any increase in sound levels at Boomtown will increase the disruption we already have to tolerate, particularly at a time of year when one needs to have the windows open and ideally, would like to sit in the garden.

3) I have a further general concern about public safety linked to the Boomtown event which is the fact that young people who are not used to the fact that there are no street lights in the countryside are allowed to



leave the site on foot and walk along the A272 towards Winchester or along the dual carriageway of the A31. This is massively dangerous along two busy roads.

Additionally people tend to park along the A272 at the top of the bowl to look down on the spectacle of the festival, and again walk along the edge of the road, without a torch and in dark clothing.

These aspects should be addressed to keep pedestrians and other road users safe.

Sue Herdman

3 Raebarn Close, S024 0QE

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**Matthew Tucker**

---

**From:** Sally Mason [REDACTED]  
**Sent:** 10 January 2018 19:24  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown Festival

Apologies, I meant to include it: Swallow Barn House, Water Lane, Bishop's Sutton, SO24 0AR

Kind regards  
Sally Mason

---

**From:** [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)  
**Sent:** 10 January 2018 16:40  
**To:** [REDACTED]  
**Subject:** RE: Boomtown Festival

Dear Ms Mason - - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker**

**Interim Licensing Manager**

**Environmental Health & Licensing Department**

**Winchester City Council**

**City Offices, Colebrook Street, Winchester, SO23 9LJ**

**T. 01962 848188 (Ext. 2188)**

**F. 01962 840586**

**M. 07980 732143**

**E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)**

---

**From:** Sally Mason [REDACTED]  
**Sent:** 30 December 2017 10:46  
**To:** Licensing  
**Subject:** Boomtown Festival

Please would you note my comments which relate to Public Nuisance;

1) **Traffic**

- Increasing capacity by over 25% from 60,000 to 76,000 will inevitably increase the considerable traffic disruption.
- However much public transport is promoted, for many people it will be more convenient (and possibly cheaper) to arrive by car/camper van.

- There is frequently serious congestion on roads leading to the Winnall roundabout and festival traffic will exacerbate this. There has been complete gridlock in previous years.
- Whatever traffic signage is used by the organisers, many festival-goers will use satnav to get around congestion or to get there more quickly. Alternative routes will take them onto minor roads and country lanes. Residents will also have to do this in an attempt to get from A to B.
- Increased volume of traffic and many drivers unfamiliar with the already very dangerous junction at the Cart & Horses will make it even more hazardous.
- For residents living east of the site, accessing Winchester city centre, Winnall trading estate and beyond Winchester becomes almost impossible. Residents should be able to get to banks/dentists/opticians/hospital and other medical appts.etc. Last year patients missed hospital appts. and it took a lady 3hrs from the Avenue in Southampton to get to a chiropody appt. in Kingsworthy.
- Businesses affected - e.g. chiropodist (above) and another small business in Winnall both said that they would close during the 2018 festival (before being aware of proposed increase in numbers) - not good for them and their patients and customers.
- Particular concern for elderly people who rely on mobile carers (already operating to a tight schedule) and a twice daily meal delivery service.
- Tradespeople e.g. plumbers, electricians, domestic appliance repairers, mobile hairdressers, driving instructors, grocery deliveries etc. are unable to keep to schedule and miss appointments.

## 2) Noise

- Residents who live south west of the site can be badly affected by noise due to the SW prevailing wind.
- The proposal to increase the permitted sound levels by 5dB is, I understand, more than a trebling of the allowed power output.
- The festival takes place in August when it is more comfortable - and sometimes a necessity - to sleep with the windows open but this is not possible due to the 'boom boom' of bass noise until 04.00.
- Health and wellbeing of local people needs to be taken into account. Lack of sleep over several nights is insufferable particularly for those who have to get up for work at weekends and for parents of babies and young children.

*Permitted numbers attending this festival have already doubled since 2013. Given past experience, inconvenience to residents is already at an unacceptable level without a further increase in numbers and adding an extra day.*

Sally Mason

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---

**Matthew Tucker**

---

**From:** C ROBINSON [REDACTED]  
**Sent:** 10 January 2018 19:56  
**To:** Matthew Tucker  
**Cc:** [REDACTED]  
**Subject:** RE: BOOMTOWN LICENCE APPLICATION

Dear Mr Tucker,

I'm sorry you have had to waste time asking this question, as I didn't see anything on the website that required full identification, and inspection of the WCC council tax register would have confirmed that I have resided at The Cottage, Kilmeston SO24 ONP for the last 4 years.

Can I in return please ask for a measure of reassurance from you?

I had a modest background in local government before I came down to Hampshire. In the spirit of transparency and openness, to ensure that natural justice prevails in decision-making can I be reassured that there have been no unminuted meetings between either officers or members of WCC, and the applicants in relation to this application.

Moreover I note in response to a query from Mr Palm that you said a Boomtown rep would be there to give "factual" material in a briefing to those members including my local representatives, who are not licensing members. Could I just ask who at that meeting has the authority to decide what is "factual", and intervene if the Boomtown rep introduces material which crosses the boundary and may colour their judgement?

I look forward to hearing from you,

Kind regards,

Chris Robinson (Mr)

---

On Wed, 10/1/18, <[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)> wrote:

**Subject:** RE: BOOMTOWN LICENCE APPLICATION

**To:** [REDACTED]

**Date:** Wednesday, 10 January, 2018, 16:41

Dear Mr Robinson - I

have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

Matt  
Tucker

Interim  
Licensing Manager  
Environmental Health & Licensing  
Department  
Winchester City Council  
City  
Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01962  
848188 (Ext. 2188)  
F. 01962  
840586.  
M. 07980  
732143  
E.  
[MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

From: Chris  
Robinson

Sent: 04 January 2018 12:19

To: Licensing

Subject: BOOMTOWN LICENCE APPLICATION

Dear Sir/Madam,

Following the partially helpful email exchange with one of your officers, I would like to object to the increase in capacity, duration of the events and sound levels, on the grounds of Public Nuisance in the following areas:

Traffic As was apparent with the previous over permitted audience, there were really serious traffic build-ups which apart from inconveniencing your ratepayers such as me, would have prevented a serious obstruction to the emergency services.

Moreover the amount of mud left on the road after the Motocross event, which was there for days, was a serious road traffic risk

Noise The previous events noise meant that we were still hearing

sleep-disturbing noise at 3am in Kilmeston and any increase in noise levels will exacerbate that situation.

Moreover as I pointed out to your colleague, the area of operation appears to be moving nearer Kilmeston and Cheriton (surely this is a planning issue)

The Motocross event was nearer Kilmeston and generated much public nuisance. However the organisers changed the complaints phone line days before the event, which had to be conveyed to the population v quickly.

However on the day I am led to believe that "due to technical problems" it was unavailable. Accordingly the organisers of that are in a position to tell you there were no complaints! Which seems hardly valid.

I therefore oppose all the dimensions of the revised application on the grounds of Public nuisance according to the categories you have identified on your website.

Yours sincerely,

Chris Robinson

Kilmeston  
Chris Robinson



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**Matthew Tucker**

---

**From:** Louisson, Charles [REDACTED]  
**Sent:** 10 January 2018 21:56  
**To:** Matthew Tucker  
**Subject:** RE: Boomtown festival licensing application

Dear Matt,

My home address is:

Maddocks Hill House,  
Maddocks Hill,  
Ropley,  
Alresford,  
Hants, SO24 0JA.

Thanks and kind regards,

Charles Louisson,  
Ward Councillor for Ropley & Tisted, EHDC.

**From:** mtucker@winchester.gov.uk  
**Sent:** Wednesday, 10 January, 16:42  
**Subject:** RE: Boomtown festival licensing application  
**To:** Louisson, Charles

Dear Councillor Louisson – I have been asked to clarify your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

**Matt Tucker**  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ

T. 01982 848188 (Ext. 2188)  
F. 01962 840588  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

**From:** Louisson, Charles [REDACTED]  
**Sent:** 08 January 2018 18:10  
**To:** Licensing  
**Subject:** Boomtown festival licensing application

I am writing as the District Councillor representing the ward of Ropley and Tisted in adjoining East Hampshire district. I have two concerns with the submitted application, firstly regarding prevention of public nuisance due to the proposal to increase the permitted sound levels, and secondly with public safety due to the increased traffic density particularly at the end of the festival where most of the eastbound traffic is directed via the A31 towards London and the South East of England.



The application has requested an increase of 5dB in the permitted levels of sound in the frequency range from approximately 40Hz to 180Hz. This is also the frequency range that carries the majority of the sound energy in the type of music typically played at festivals such as Boomtown and is the most penetrating due to the lack of natural attenuation at these frequencies, so an increase of 5dB, or a factor of 3.16 times, in these frequencies will be very similar in effect to increasing the total power by that amount. To date my ward residents have been relatively unaffected by noise from Boomtown – the prevailing wind direction will carry the sound towards Ropley from Boomtown, but while the festival sound has been perceptible in the past, it has not been at a level that has caused residents to complain directly to me. My concern is that tripling the sound energy output, especially over the extended period of time that is now applied for, will trigger more substantial complaints as the increased levels will more likely disturb residents sleep patterns and spoil peoples enjoyment of outdoor events and activities that tend to take place during the summer. While I can appreciate that the applicant wishes to improve the marketability of his product by raising the sound level which will apparently improve his clients enjoyment of the festival, this amendment to the licensing conditions can only increase the level of public nuisance in my ward and is therefore not compatible with the prevention of public nuisance.

The applicant has applied to increase the attendance at the festival by 16,000 in 2018 and by a further 5,000 to a total of 80,000 in 2019, representing a 33% increase over the currently licensed limit of 60,000. In mitigation the applicant has proposed to open the festival a day earlier and stagger the arrival such that the arrival traffic density will be similar to previous years, however I understand that the departure arrangements are unchanged which will result in an additional 33% traffic concentrated into the relatively narrow departure window on Monday morning after the festival closes. I have never fully understood the logic of routing most of the London bound traffic along 40 odd miles of the mixed single and dual carriageway A31 road when there is a motorway junction within two miles, but I feel that adding a further 33% traffic to the existing festival traffic load on departure when it will be mixing with a Monday morning rush hour is incompatible with our duty of providing public safety.

For the above reasons I would request that the committee refuse the application to alter the license conditions as proposed.

With kind regards,  
Charles Loulsson  
Ward Councillor for Ropley and Tisted,  
East Hampshire District Council.

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**Matthew Tucker**

---

**From:** michael chataway [REDACTED]  
**Sent:** 11 January 2018 09:01  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown new licence. Prevention of Public Nuisance

Dear Mr Tucker,  
We confirm that our address is: Flat, Tichborne House, Tichborne, Alresford SO24 0NA.  
Many thanks,  
Michael and Caroline Chataway.

Sent from my iPhone

> On 10 Jan 2018, at 16:42, <MTucker@winchester.gov.uk> <MTucker@winchester.gov.uk> wrote:

>  
> Dear Mr and Mrs Chataway - I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

>  
> Regards

>  
>  
> Matt Tucker  
> Interim Licensing Manager  
> Environmental Health & Licensing Department Winchester City Council  
> City Offices, Colebrook Street, Winchester, SO23 9LJ  
>  
> T. 01962 848188 (Ext. 2188)  
> F. 01962 840586  
> M. 07980 732143  
> E: [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

>  
>  
> -----Original Message-----

> From: Michael Chataway [REDACTED]  
> Sent: 06 January 2018 14:26  
> To: Licensing  
> Subject: Boomtown new licence. Prevention of Public Nuisance

> Dear Sir,  
> We write to object to the new licence being granted for Matterley Bowl on 9/12 August on the following grounds:-  
> a. The proposed increase in numbers to 79,999 in 2019 will increase public nuisance and result in many more vehicle movements, causing congestion on the roads.  
> b. The application for an extra day will increase congestion on the roads and cause noise nuisance on five instead of four days. The road surface noise on the A31 is already a major nuisance to residents of Tichborne and Ovington.  
> c. We consider this application will result in the low frequency noise levels being higher than in previous events and that they are likely to be higher also because the sources of the sound will be closer to the local communities.

>  
> We therefore urge that this application be refused.

>  
> Yours faithfully

>  
> Michael and Caroline Chataway

> Sent from my iPad

>

> This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are advised to carry out your own virus checks. Winchester City Council cannot accept any responsibility for loss or damage caused by viruses.

>

**Matthew Tucker**

---

**From:** Justin French-Brooks [REDACTED]  
**Sent:** 11 January 2018 09:53  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown: Representation in respect of licence application

Good morning Mr Tucker,

We are joint owners of Goose Cottage, Tichborne SO24 0NA, having bought the property in October 2015. We temporarily moved out on 23 October 2017 and are staying with family while the house is gutted and rebuilt. We hope to move back home this summer, depending on factors affecting the rebuild, such as the weather.

Best regards,

Justin French-Brooks

> On 10 Jan 2018, at 16:42, [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk) wrote:

>

> Dr Mr French-Brooks and Mr Bousfield - I have been asked to confirm your address in order to ensure your objection is valid under the Licensing Act 2003.

>

> Regards

>

>

> Matt Tucker

> Interim Licensing Manager

> Environmental Health & Licensing Department Winchester City Council

> City Offices, Colebrook Street, Winchester, SO23 9LJ

>

> T. 01962 848188 (Ext. 2188)

> F. 01962 840586

> M. 07980 732143

> E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

>

>

> -----Original Message-----

> From: Justin French-Brooks [REDACTED]

> Sent: 07 January 2018 23:35

> To: Licensing

> Subject: Boomtown: Representation in respect of licence application

>

> Please find attached our representation in respect of the application

> for a revised premises licence from Boomtown Festival UK Limited

>

> \_\_\_\_\_  
> This email and any files transmitted with it are intended solely for the addressed individual. The information in this email may be confidential; if you have received it in error, please accept our apologies and notify the sender as soon as possible, and delete it from your system without distributing or copying any information contained within it. Under UK Data Protection and Freedom of Information legislation, the contents of this email might have to be disclosed in response to a request. We check emails and attachments for viruses before they are sent, but you are

**GOOSE COTTAGE, TICHBORNE, ALRESFORD, HAMPSHIRE SO24 ONA**

David Ingram  
Head of Environmental Health & Licensing  
Winchester City Council  
licensing@winchester.gov.uk

7 January 2018

Dear Mr Ingram,

**Representation: Application by Boomtown Festival UK Ltd for a new premises licence for Matterley Bowl, Alresford Rd, Winchester**

We write in relation to the recent application by Boomtown Festival for approval of the licensable activities set out in its proposed schedule, including in particular an increase in the number of people permitted on the site for the 2018 event and another increase for the 2019 event, an increase in the licensed area, and an increase in the number of days on which licensable activities are permitted to six consecutively.

Having studied the application and considered its implications, it is clear that the requested changes would result in a disproportionate increase in public nuisance and risk to public safety. We therefore urge Winchester City Council (WCC) to REJECT the licence application.

Detrimental impact due to public nuisance

A licence on the basis of the application would have an unacceptable impact on local residents for the following reasons:

- (1) The proposed licensed area would be larger than in the current licence, and licensable activities generating amplified music and other loud noise would therefore take place closer to local communities, including Tichborne, increasing the detrimental impact on residents' ability to sleep at night and on their ability to enjoy their communities during the day.
- (2) It would certainly result in many more vehicle movements both on the site and throughout the local highway infrastructure, including the A272, A31 and M3. WCC has previously stated that an increase in numbers attending the event could have an adverse impact on the local highway network, with greater numbers of vehicle movements representing a public nuisance. In particular, greater nuisance would result from increased congestion caused by vehicles arriving at and leaving the event. This would be exacerbated by the event taking place on one additional day, increasing departure and arrival movements. Those living and working in the locality have a right to go about their everyday lives unimpeded.

- (3) The event site is located within the South Downs National Park, contains the Cheesefoot Head Site of Special Scientific Interest and features areas of priority habitat, including lowland calcareous grassland. Residents and visitors place an enormous value on these geographical designations and being able to enjoy them during the daytime, particularly at the time of the year that the event takes place. With these areas, including public rights of way, being off limits during the event, this restriction of access must be considered a public nuisance.

We therefore conclude that any new licence issued by Winchester City Council should RETAIN or REDUCE previous limits on the number of people allowed on site, RETAIN the existing perimeter and RETAIN the existing number of days on which licensable activities are permitted.

#### Detrimental impact on public safety

WCC has previously stated that an increase in numbers attending the event could have an adverse impact on the local highway network. This would seem inevitable, with greater congestion caused by vehicles arriving at and leaving the event likely to result in a greater number of road accidents. We have witnessed vehicles clearly destined for the event performing illegal U-turns across the central reservation of the A31 dual carriageway (despite temporary barriers) and numerous pedestrians crossing and walking along local roads which normally see none.

We therefore conclude that any new licence issued by Winchester City Council should RETAIN or REDUCE previous limits on the number of people allowed on site to limit negative impacts on public safety.

#### Other matters of interest to residents

We already presume that all costs borne by the public purse in relation to the event are recharged to the festival organisers. If they are not, we rely on WCC as our elected representatives to ensure that they indeed are.

We have in previous years witnessed a notable increase in the amount of roadside litter during and immediately after the festival, and therefore request that, in issuing any licence, WCC include a requirement for the licence holder to conduct a thorough manual litter pick of roadside verges within one mile of the perimeter of the site on all public roads leading to and from the event site. As the statutory waste collection authority, we expect WCC to be unwilling itself to pay for this requirement.

Finally, we are particularly keen for WCC not to find itself in the position of being forced to consider a revised licence application in the weeks immediately preceding the event, as this may result in the committee taking a decision that is not in the best interests of the authority's residents.

Yours sincerely,

**Justin French-Brooks and Jonathan Bousfield**

**Matthew Tucker**

---

**From:** Kim A Gottlieb [REDACTED]  
**Sent:** 11 January 2018 14:54  
**To:** Matthew Tucker  
**Subject:** RE: Boomtown

Balleys End  
42-43 East Stratton  
Winchester  
SO21 3DT

Regards

Kim

**From:** [MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk) [mailto:MTucker@winchester.gov.uk]  
**Sent:** 10 January 2018 16:43  
**To:** Kim A Gottlieb  
**Subject:** RE: Boomtown

Dear Cllr Gottlieb – I have been asked to confirm your address in order to ensure your objection is compliant with the Licensing Act 2003.

Regards

Matt Tucker  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9JJ

T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

---

**From:** Kim A Gottlieb [REDACTED]  
**Sent:** 08 January 2018 11:16  
**To:** Matthew Tucker  
**Subject:** Boomtown

Dear Matt

I write to add my objection to others you will have received, to the proposed increase in attendance numbers to this event over the next two years. The chief reason for my objection is the potential detriment to public safety, caused by the additional numbers both on and off site.

I would add that I am a supporter of this event, but do feel that it needs to have a couple of untroubled years before we, as a licensing authority, consider whether any further expansion can be allowed without causing harm.

Regards Kim

Kim A Gottlieb  
Winchester City Councillor  
For Alresford & Itchen Valley  
07795 494919

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**Matthew Tucker**

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**From:** LISA GRIFFITHS [REDACTED]  
**Sent:** 12 January 2018 06:32  
**To:** Matthew Tucker  
**Subject:** Re: Boomtown Application

Hi Matt

Please can you put my address as Tralee, Bishops Sutton Road, Alresford SO24 9EJ. I've spoken to David Blakemore and he's happy that this is appropriate.

I did ring and leave you a message on the number listed, but guess you did not receive as I didn't get a call back.

Many thanks

Lisa  
Councillor Lisa Griffiths  
Winchester City Council  
Portfolio Holder for Health & Wellbeing  
Ward Councillor Alresford & Itchen Valley

Tel : 07545 375632/01962 738646

If I do not answer, please leave a message and I will get back to you as soon as I can.

On Wednesday, 10 January 2018, 16:42, "[MTucker@winchester.gov.uk](mailto:MTucker@winchester.gov.uk)" wrote:

Dear Cllr Griffiths – I have been asked to confirm your address in order to ensure your objection is valid under the Licensing Act 2003.

Regards

**Matt Tucker**  
Interim Licensing Manager  
Environmental Health & Licensing Department  
Winchester City Council  
City Offices, Colebrook Street, Winchester, SO23 9LJ  
T. 01962 848188 (Ext. 2188)  
F. 01962 840586  
M. 07980 732143  
E. [MTucker@Winchester.gov.uk](mailto:MTucker@Winchester.gov.uk)

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**From:** LISA GRIFFITHS [REDACTED]  
**Sent:** 08 January 2018 11:53  
**To:** Licensing  
**Subject:** Boomtown Application

Dear Matt

Further to the meetings with yourself and residents in Itchen Valley Village Hall, I would like to comment as follows on behalf of residents :

- I object to the proposed increase in attendees on the grounds of the public nuisance caused to local residents by insufficient measures to control the ingress and departure of traffic at the beginning and end of the event. I appreciate that further measures are intended to address this but would like to see proven experience that this indeed addresses the nuisance experienced.

- I also object to the increase in numbers on health and safety grounds of attendees. The inability to cope safely during the main arrival period in 2017 was detrimental to the health and wellbeing of some of those waiting for entry, with many hours of delay and a lack of public toilet/drink/food provision outside the main event area. I understand this is to be addressed in 2018, however again I would like to see proven experience.

- I object to the increase in sound levels proposed. I appreciate that measures to reduce the noise nuisance to residents has reduced the impact, however those much closer to the venue do not wish to have an increase in volume and I support their request.
- I support the hours of operation for entertainment and late night refreshments, along with the proposed earlier ingress to the site for attendees in order to spread the arrival load, and potentially as suggested to also spread departure of attendees.
- I support the extension of the site area as proposed on the grounds of health and safety within the site which will provide an improved working environment and greater space for attendees.

Best regards,

Lisa

**Councillor Lisa Griffiths**

Winchester City Council

Portfolio Holder for Health & Wellbeing

Ward Councillor Alresford & Itchen Valley

Tel : 07545 375632/01962 738646

If I do not answer, please leave a message and I will get back to you as soon as I can.

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Millbarrow Farm, Beauworth, Alresford, Hampshire. SO240PD  
28.12.2017

Dear Sir/Madam,

Re Boomtown Festival UK Ltd's application for New Premises License PREM709 at Matterly Bowl.

I object strongly to the application for increasing the days, hours, people, and noise of this Event, and the resulting impact it has on our local communities and businesses.

Objection on the grounds of Public Nuisance.

The Noise generated by the Event is a major public nuisance, and causes disruption to sleep, especially the bass levels, this is at odds with the character of the South Downs National Park. This year I spoke to one of the monitors who was by the hay barn on the South Downs Way, it is situated in a dip with the wood between them and the Event, this was not comparable to the houses alongside the road, the green lane, at the top of the hill and in the village where the noise was much more intrusive. The monitoring should be done where the people and houses are, not in the middle of the countryside behind a hay barn. It was far louder and nearer and lasted for longer this year.

Not only do we have to tolerate Boomtown but The Motor Cross Event as well, both having intrusive noise during the nights and traffic chaos.

More importantly it does not accord with application Documents; PN11 is Higher noise levels than PREM655 which goes against Revised Licensing Policy.

Traffic.

There has been Road Traffic chaos since the start of these Events, it has now got to the state of gridlock, with traffic lights on the Longwood Crossroads and the A272, the queues and chaos is impenetrable. The diversion of the coaches and busses via Longwood is extremely dangerous for the other road users as they think they have right of way and drive in the middle of the road, this virtually means we are unable to go to Winchester either by the A272, Longwood / Morestead or Alresford without huge delays.

As a result the local businesses, Pubs, and Hinton Ampner House suffer considerably from customers not coming from Winchester as they are discouraged by the delays. The other serious danger is people walking along the A272 to access the site in the dark, I very nearly knocked one over this year.

Environment.

Light Pollution. This is not just in the bowl but on one of the highest areas of land where is a trig point at the top of Cheesefoot Head, with an enlarged area this year it looked like our local airport even before the event as the lights seem to be on day and

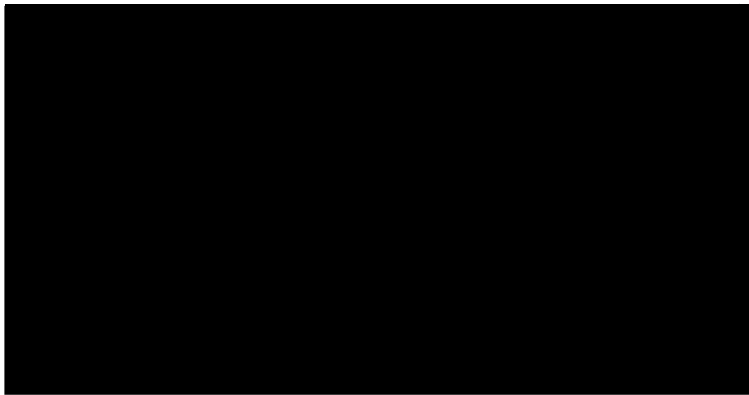
night, not very environmentally friendly and extremely intrusive to all the surrounding area. It is gradually creeping nearer all the villages and has far too big an impact on all our lives already.

The other major objection is that the Public Car Park adjacent to the Boomtown Site on the South Downs way is closed to all that might want to walk or cycle for many days during the preparation of the Event, the Event, and the clearance; this is highly inconvenient for the general public.

**Conclusion.**

We have tolerated major disruption for many years; the Events have grown in frequency, size of area; amount of people and cars which inevitably creates more noise, traffic and discontent.

Winchester City Council should respect the comments by the local communities and cut the numbers, events and area, rather than endlessly increase it year on year.



**Matthew Tucker**

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**From:** Sue Masser [REDACTED]  
**Sent:** 06 January 2018 16:21  
**To:** Licensing  
**Subject:** Boomtown Application

I am writing to object to the Application from the Boomtown Festival UK Ltd for a new Premises License of Matterly Bowl.

My reasons for objection are as follows:

1. The application includes significant increases to the maximum number of persons allowed on the site (from 59,999 to 79,999) which would result in many more vehicle movements but there is no information provided with the application regarding these additional vehicle movements and how they will be dealt with. Anyone trying to travel on the roads - particularly at the end of the festival when all the festival goers try to leave at once but also in the lead up to, knows the total chaos that this causes, festival cars full of people get frustrated with the queues and do dangerous manoeuvres in many locations endangering the lives of the locals in the process. This actually stops locals from using the roads for fear of their lives, preventing them from travelling for any reason including for work.
2. The proposed licensed area would be larger than in the current licence, PREM709, and the enlarged area, presumably to accommodate extra people and additional sound sources, would be east of the existing site and closer to local communities such as Beauworth, Cheriton, Kilmeston and Tichborne. The existing site already looks like a concentration camp with Stalag style observation platforms which are erected well before the festival and remain in place well after destroying the countryside.
3. The application includes one extra day (Wednesday) which would cause traffic congestion on an additional day for each event and cause noise nuisance for local communities resulting from regulated entertainment (live and/or recorded music) on five instead of four nights. For those of us who have to work on Fridays - the noise on Thursday nights has already made it impossible to get a good nights sleep. An extra night will increase the sleep deprivation of the locals and again prevent them from working.
4. The Council adopted a Revised Licensing Policy on 13th April 2016 and this application does not comply with the requirement for stricter conditions with regard to noise control on this site which is **within the South Downs National Park**. The terminal times would be the same as in PREM655 (0400 hours on two nights and midnight on other nights), there would be louder low frequency noise and one extra night of amplified music. In fact, the conditions with regard to noise control would be less strict which is contrary to the Revised Licensing Policy. I would like to point out that the additional 3dB or 5dB noise limit for low frequency noise would more than triple the sound intensity because the Decibel Scale is not linear but logarithmic. See my comment above about sleep deprivation.

I would therefore request the Licensing Authority to seriously consider its position with respect to the application - many locals will no longer take the implications of this festival lying down if they intend to go against both their own and government policy in allowing this application.

From  
Sue Masser  
Elford House, Kilmeston Road, Kilmeston, SO24 0NJ - **if this objection is made public I would require my personal data to be removed.**





# **LICENSING POLICY**

**April 2016**

# **LICENSING ACT 2003**

This Policy was adopted by full Council on 13 April 2016 following a review.  
The version was adopted for the five year period from 7 January 2014 to 2019.

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**WINCHESTER CITY COUNCIL  
LICENSING ACT 2003  
SECTION 5**

**Statement of Licensing Policy  
2014 to 2019**

**A licensing policy as determined by the Council in respect of its licensing functions for the five year period commencing 7 January 2014 is set out in this statement of licensing policy. During the five year period the policy will be kept under review and the Council will make such revisions to it, at such times, as it considers appropriate. Further licensing statements will be published every five years hereafter.**

**The policy was reviewed and adopted by full Council on 13 April 2016.**

**In this statement “the Council” means Winchester City Council. The City Council is the Licensing Authority for the purposes of the Act and the associated Guidance and Regulations. Accordingly, unless otherwise stated, references to “the Council” are references to the Licensing Authority.**

**PART 1: BACKGROUND**

- 1.1 Winchester District is situated in the County of Hampshire and has a large number of licensed premises and events for which licences are required. These provide leisure and entertainment opportunities for residents and visitors which are an essential part of vibrant and active communities. They contribute to the local economy and provide significant employment. The purpose of this policy is to strike a balance between obtaining all the benefits provided by licensed premises and events and ensuring that their less welcome impact is properly controlled and balanced against other community interests.
- 1.2 There are approximately 580 licensed premises in the District where alcohol is sold or entertainment provided on a regular or occasional basis. These premises include:
- public houses and nightclubs
  - off licences (including supermarkets selling alcohol)
  - businesses offering hot food between 2300 and 0500
  - hotels, guest houses, restaurants and other places that sell alcohol
  - private members clubs and social clubs
  - theatres and venues for amateur dramatic groups
  - cinemas
  - premises where indoor sporting events take place
  - Village Halls, community premises and schools

The main concentration of licensed premises is in Winchester City Centre. Since the introduction of the Licensing Act 2003, many premises extended their opening hours, generally seeking hours up to Midnight (rather than 2300, the usual end of permitted hours under the Licensing Act 1964). Some premises which already had terminal hours of midnight or later, extended those hours to 0100, 0200, and 0300.

## Other Legislation

- 1.3 As well as being the Licensing Authority under the Licensing Act 2003, Winchester City Council is responsible for a number of other statutory functions which are interrelated to the licensing function. These include its role as a local planning authority determining planning applications, the environmental health function, and the building control service which is provided.
- 1.4 Prior to submitting an application to the Licensing Authority the Applicant should ensure that there is appropriate current Planning Permission for the hours and activities for which application is being made.
- 1.5 The South Downs National Park Authority (“SDNPA”) is the **sole** planning authority for “premises” within the South Downs National Park (“SDNP”). The purposes and duty of the SDNP are:
- Purpose 1 - ‘To conserve and enhance the natural beauty, wildlife and cultural heritage of the area’.
  - Purpose 2 - ‘To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public’.
  - Duty - ‘To seek to foster the social and economic well-being of the local communities within the National Park in pursuit of our purposes’.
- Where there is a conflict between the purposes and/or duty, then Purpose 1 must have priority.
- 1.6 Applicants are encouraged to make contact with the SDNPA at the earliest opportunity where their premises are within the SDNP area **and to consider any guidance issued by the SDNPA** to further promote the licensing objectives.
- 1.7 The licensing objectives collectively seek to protect the quality of life for those who live and work in the vicinity of licensed premises and those who choose to socialise in them. The licensing authority will have regard to the SDNP purposes when considering applications to ensure they are respected.
- 1.8 The Council recognises that there should be a clear separation of the planning and licensing systems and licensing applications will be viewed independently of planning applications. To achieve this, close liaison will be maintained between the licensing section, planning department and, where applicable, the South Downs National Park authority. Licensing applications are not a re-run of the planning application and should not cut across planning decisions (whether these are taken by planning officers under delegated powers, the Planning Committee, SDNPA or an inspector following an appeal against the decision of the Planning Authority). The Licensing and Regulation Committee, where appropriate, will provide reports to the Planning Committee on the situation regarding licensed premises in the area including the general impact of alcohol-related crime and disorder.
- 1.9 The Council has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its various functions with due regard to the likely effect of the exercise of those functions and to do all that it reasonably can to prevent crime and disorder in its area. In addition, it is a member of the Community Safety Partnership, which will also have a key role in the review of this Licensing Policy and the successful operation of the licensing system.
- 1.10 The Council has adopted the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009, with effect from 20 December 2010. Adult entertainment such as striptease and lap dancing which falls within the definition of “Relevant Entertainment” will therefore be controlled under these provisions (and any adopted policy for such provision), rather than the Licensing Act 2003. However, in certain cases, where such entertainment is carried out infrequently, it will continue to be

regulated under the Licensing Act 2003 and the provisions of this Policy will therefore apply to such regulated entertainment. In any event, premises providing Relevant Entertainment will need to consider whether a Premises Licence is required for the provision of alcohol, regulated entertainment and late night refreshment.

- 1.11 Furthermore, premises must comply with all other relevant legislation, e.g.
- Food Safety Act 1990 (Food Hygiene)
  - Health & Safety at Work etc Act 1974 (risk assessments for work practices and fire safety)
  - Disability Discrimination Act 1995
  - Building Regulations
- 1.12 The Council will seek to avoid duplication with other regulatory regimes as far as possible. However, if other regulations do not cover the unique circumstances that arise in connection with, for example, entertainment at specified premises, then additional controls will be imposed.
- 1.13 Winchester District is an attractive area, with historic towns and villages, as well as beautiful countryside, part of which is covered by the South Downs National Park. It attracts visitors from around the world, as well as students who choose to study at the City's academic institutions. Many commute into the District to work each day, whilst a large proportion of residents commute to London and the surrounding areas.
- 1.14 The City Council wishes to ensure that the District continues to be a prosperous and attractive place in which to live or work, or to visit. It recognises that the provision of licensable activities can have adverse impacts, such as crime and disorder, and public nuisance. The Licensing Policy, and the administration of licensing under the Licensing Act, will play a key role in ensuring that an appropriate balance is drawn between the interests of those people wishing to provide and enjoy licensable activities and those who might be affected by such provision and enjoyment.

## **PART 2: INTRODUCTION**

- 2.1 Winchester City Council ("the Council") is the Licensing Authority pursuant to the Licensing Act 2003 ("the Act") and is responsible for considering all applications for licensable activities, as defined in Section 1 of the Act. The purpose of licensing is to regulate the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events. Licensable activities, identified by the Act, include:
- Retail sale of alcohol
  - Supply of hot food or drink from premises between 2300 and 0500 hours
  - Supply of alcohol to club members
  - Provision of entertainment listed below (known as "regulated entertainment") to the public or club members or with a view to profit:
    - Film exhibitions
    - Performances of a play
    - Indoor sporting events
    - Boxing or wrestling entertainment
    - Live music performances
    - Playing of recorded music
    - Dance performances
- 2.2 There are a number of exceptions and details of these are set out in Sections 173 to 175 of the Act.
- 2.3 This Statement of Licensing Policy has been prepared in accordance with the provisions of the Act and the Guidance issued under Section 182 of the Act.
- 2.4 The Policy will be kept under review and where any amendments are considered necessary these will only be made after consultation has taken place in accordance with Section 5(3) of the Act. Proper weight shall be given to the views of all those consulted. Those to be consulted will include:
- The Chief Officer of Police for Hampshire
  - The Chief Officer of Hampshire Fire and Rescue Service
  - Bodies representing local holders of premises licences
  - Bodies representing local holders of club premises certificates
  - Bodies representing local holders of personal licences
  - Bodies representing businesses and residents in the Council's area
  - The relevant Area Child Protection Teams
  - Primary Care Trust or Health Board
  - Any other bodies the Council deems appropriate
- 2.5 The Council recognises that the best means of promoting the licensing objectives (see 2.8 below) is through the co-operation and partnership of local authorities, the Police, local business, performers, local people and those involved in child

protection. The local Community Safety Partnership will be used as part of this partnership approach.

- 2.6 The Council believes that good liaison with operators of licensed premises can assist the promotion of the licensing objectives, by encouraging operators to adopt good practice (such as holding regular meetings with local residents). It will work with existing local groups of operators (where these exist) and will encourage the formation of new groups where appropriate.
- 2.7 The Council will always take the Licensing Policy into account in its decision making, but it may depart from the Policy in appropriate circumstances. Similarly, the Council will have regard to the Secretary of State's Guidance issued under the Licensing Act, but may depart from this Guidance if it is considered appropriate. Where this occurs, reasons will be given as part of the decision.

### **Licensing Objectives**

- 2.8 When dealing with licensing matters the Council will promote and have regard to the four licensing objectives set out in the Act. These are:
- The prevention of crime and disorder;
  - Public safety;
  - The prevention of public nuisance; and
  - The protection of children from harm.
- 2.9 The Council's primary focus is the direct impact of activities taking place at licensed premises on members of the public who are living, working or engaged in normal activity in the vicinity of the premises/place concerned. It will consider any demonstrable link between particular licensed premises and reported problems of nuisance and anti-social behaviour, although the Council recognises that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from that premises/place and, therefore, beyond the direct control of the individual, business or club holding the licence or certificate concerned. However, as the Government's Guidance notes, the Policy is a key aspect of such control, and licensing laws will always be part of a holistic approach to the management of the evening and night-time economy in the City Centre.
- 2.10 Accordingly, any conditions attached to the licence/certificate will centre on the premises and places being used for licensable activities and the vicinity of those premises and places. Whether or not an instance can be regarded as being in the vicinity of licensed premises or places is a question of fact and will depend on the particular circumstances of the case.
- 2.11 The availability of Police resources to deal with crime and disorder problems arising from the operation of licensed premises will be taken into account when considering applications.

### **Integration of Strategies**

- 2.12 As indicated in Section 1 of this Policy, the Council has clear objectives to promote tourism, the cultural diversity of the District and local employment; the Council recognises that licensed premises provide a valuable contribution to these objectives.

2.13 The Council will ensure at all times that it takes into account the views of relevant stakeholders and that there is proper integration between the Licensing Policy and relevant strategies including:-

- The Community Strategy;
- The Community Safety Strategy;
- The Cultural Strategy;
- The Tourism Strategy;
- The Social Inclusion Strategy;
- The Local Plan;
- Local crime prevention strategies
- Transport strategies
- Winchester Drug and Alcohol Reference Group Action Plan
- Any policy in respect of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (Sex Establishments)

Integration will be achieved by a variety of methods, including consultation and input into the various strategies by relevant Portfolio Holders and officers, liaison with major partners and reports to relevant committees and other bodies.

2.14 The Council will work closely with the Police on issues of enforcement. Where appropriate, neighbouring authorities and Town and Parish councils will also be consulted.

2.15 In deciding applications, the Council will always take into account relevant representations from local residents and businesses and responsible authorities. It will also take into consideration the following (insofar as they are relevant to the licensing objectives):

- The requirements of the local tourist economy;
- The cultural strategy for the District, and the Council's wish to encourage and promote live music, dancing and theatre to the wider cultural benefit of its community and visitors;
- The employment situation in the District and the need for investment and employment where appropriate.

2.16 There are many stakeholders in the leisure industry. Many are involved, directly or indirectly, in the promotion of the licensing objectives, particularly those relating to the prevention of crime and disorder and public nuisance.

2.17 Conditions attached to premises licences and club premises certificates will, so far as possible, reflect the Community Safety Strategy and local crime prevention strategies.

#### **Cumulative Effect of a number of Licensed Premises in one area**

2.18 This Council does not have a Special Saturation Policy

#### **Other Controls on Anti-social Behaviour**

2.19 Other mechanisms exist to control the anti-social behaviour of a minority of consumers who behave badly and unlawfully after leaving licensed premises etc. These controls include:

- Planning controls

- Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority
- Power of local authorities to designate parts of the local authority area as being places where alcohol may not to be consumed publicly (see below)
- Police enforcement of normal law concerning disorder and anti-social behaviour including the issuing of fixed penalty notices and anti-social behaviour orders
- The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk
- The confiscation of alcohol from adults and children in designated areas
- Police powers to close down instantly for up to 24 hours any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises
- The power of the Police and other responsible authorities or a local resident or business to seek a review of the licence or certificate in question

### **Drinking on the Streets**

- 2.20 The Council has made Orders under the Police and Criminal Justice Act 2001 to control the drinking of alcohol in the streets and other public areas within the Winchester Town (including Oliver's Battery, Badger Farm, and Harestock, as well as the six town wards).
- 2.21 Following a successful application for a review of a licence, the Council may decide to investigate whether an Order under the Police and Criminal Justice Act 2001 should be made to control the drinking of alcohol in public spaces in the area surrounding the premises concerned.

### **Licensing Hours**

- 2.22 With regard to licensing hours, consideration will be given to the individual merits of an application. The Guidance issued under the Licensing Act 2003 (January 2010) indicates that the Government's view is that in some circumstances, flexible licensing hours relating to the sale of alcohol are important to ensure that the potential for concentrations of customers leaving premises simultaneously is reduced and a slower dispersal of people from premises is achieved. It is hoped that this approach will also result in a reduction in "binge drinking" at the end of an evening. This is necessary to reduce friction at late night food outlets, taxi ranks and other sources of transport which can lead to problems of disorder and disturbance.
- 2.23 The Council recognises the concerns which residents and businesses may have about extended opening hours, and the fear that these may have an adverse impact on crime and disorder, and public nuisance (two of the licensing objectives). Although these concerns may arise anywhere in the District, they are most likely to be found in the urban areas, particularly central Winchester. These problems may (amongst other things) impact on the police and other agencies, as well as local residents. The Council accepts that such concerns are legitimate issues to be considered as part of the licensing process. Therefore, the Council will seek to ensure that where longer opening hours are sought by applicants, or where applicants seek to open new licensed premises, the potential detrimental effects are properly considered and addressed by applicants in their operating schedules. Accordingly, where

applications are submitted to extend the hours of opening of premises, and in the case of new premises seeking to open between 23.00 and 08.00, applicants will be expected to either demonstrate that these hours of operation will have no adverse effect on the achievement of the licensing objectives, or set out the steps which they propose to take to secure these objectives.

- 2.24 In accordance with the Government's Guidance, this Licensing Policy makes it clear that in areas of denser residential accommodation, stricter conditions relating to noise control will be imposed.

### **Standardised Conditions**

- 2.25 The Council will impose conditions to reflect applicants' operating schedules in all cases. Where a hearing is held following relevant representations, and the Council believes it to be appropriate and necessary, in order to promote any of the licensing objectives, it will consider attaching further conditions to licences. Conditions attached to licences will, as far as possible, be tailored to the individual style and characteristics of the premises and licensable activities concerned. Disproportionate and over burdensome conditions on premises will not be imposed. Standardised conditions will be avoided, where possible. Any conditions which are imposed will be tailored to the specific premises and the specific application (see further Home Office Guidance Section 10).

### **Live Music, Dancing and Theatre**

- 2.26 The Council recognises that as part of implementing any cultural strategy as may from time to time apply, proper account will need to be taken to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community. Conditions to be imposed on relevant licences will not discourage the promotion of such entertainment but will relate solely to the promotion of the licensing objectives.

### **Enforcement**

- 2.27 The Council established protocols with the local Police on enforcement issues. This will enable the more efficient deployment of local authority staff and Police Officers who are commonly engaged in enforcing licensing law and the inspection of licensed premises. The aim of the protocol is to target agreed problem and high risk premises which require greater attention while providing a lighter touch in respect of low risk premises which are well run.

### **Closure**

- 2.28 The Police may seek a court order to:-
- (a) close down for up to 24 hours premises in a geographical area that is experiencing or likely to experience disorder;
  - (b) close down instantly for up to 24 hours individual licensed premises that are disorderly, likely to become disorderly or are causing nuisance as a result of noise from the premises.

Following information from the Police regarding such closures the Council will usually hold a Review Hearing, as described below.



## **Objections/Review Hearings**

- 2.29 A responsible authority or any other person may make representations to the Council as Licensing Authority on any application for grant, variation or for the review of a Premises Licence.

The Council expects that such representations should be made in writing.

In the absence of relevant representations applications **must** be granted subject only to any applicable mandatory conditions and such conditions which are consistent with the applicant's Operating Schedule.

- 2.30 The Council can only review a licence where it is alleged that the licensing objectives are not being met. The Council will hold a review hearing to consider the merits of an application or licence where the representation is considered relevant. In order to be relevant it must relate to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. Review hearings will be heard by a Sub-Committee of three City Councillors. Applicants, and any other person making a representation, will be informed of the hearing and invited to attend such hearings to present their arguments.
- 2.31 The Council will however make every effort to consult with the applicant and any other person making a representation to resolve any issues as appropriate.
- 2.32 Where the Council finds that a representation is not relevant, or is frivolous or vexatious, the person making the representation may challenge this finding by way of a judicial review in the Courts.
- 2.33 Following a Review Hearing the Council may :-
- (a) modify the conditions of the licence;
  - (b) exclude a licensable activity from the scope of the licence;
  - (c) remove the designated premises supervisor;
  - (d) suspend the licence for a period (not exceeding three months); or
  - (e) revoke the licence

## **Offences**

- 2.34 The Act sets out a number of offences, proceedings for which may be instigated by the following:-
- (a) The Council (as Licensing Authority)
  - (b) The Director of Public Prosecutions
  - (c) In the case of an offence under section 146 or 147 (sale of alcohol to children), by Hampshire County Council (the local weights and measures authority).

Any action instigated by the Council will be carried out in accordance with any relevant enforcement policies for the time being in force.

## **Appeals**

- 2.35 Within the Licensing Act 2003 there is provision for appeals in connection with decisions made by the Council for aggrieved parties (including as appropriate, the applicant, the Police, responsible authorities and any person who made relevant representations). An appeal has to be made to the Magistrates Court.

- 2.36 The rights of appeal and reasons for the decision(s) taken by the Council will be provided to all parties concerned with any Licensing decision which might give rise to such an appeal under the terms of the Act. Any reasons given will address the extent to which the decision was made with regard to the Council's statement of licensing policy, statutory guidance, regulations and the Act itself.
- 2.37 The Council reserves the right to make comprehensive records of any hearing held in connection with its licensing functions under the Act. This extends to the recording of hearings.

### **Equal opportunities & Race Equality**

- 2.38 Subject to the general requirements of the Act, the Council will promote equality of opportunity. In such respects, nothing within this statement of licensing policy shall undermine the right of any individual to apply for any of the licences and/or authorisations provided for under the terms of the Act.
- 2.39 No applicant and/or licence holder shall receive less favourable treatment on the grounds of sex, sexual orientation, disability, marital status, colour, race or ethnic origin. No applicant and/or licence holder shall be disadvantaged by conditions or requirements which are not relevant to their application and/or their licence, the promotion of the four licensing objectives and this statement of licensing policy.
- 2.40 Subject to the general requirements of the Act, nothing within this statement of licensing policy shall undermine the right of any person to make representation(s) on an application or seek a review of an existing licence or certificate where provision has been made for them to do so under the Act.

### **Data Protection**

- 2.41 The Council may use the information submitted on any application form for any licence(s) and/or permission(s) provided for under the terms of the Act for the purpose of its statutory function(s) in its capacity as the relevant Licensing Authority.
- 2.42 The Council may disclose all such information to its agents or service providers. The Licensing Authority may also share this information with other Council Services (Departments).
- 2.43 All applicants have the right to ask for a copy of the information that the Council holds about them (for which a fee may be charged) and to correct any inaccuracies held.
- 2.44 By making application to the Council for any licence and/or permission under the terms of the Act all applicants consent to the Council processing sensitive personal data about them where this is necessary.
- 2.45 The Act requires the Council however to keep a register of:-
- (a) A record of each Premises Licence, Club Premises Certificate and Personal Licence issued by it;
  - (b) A record of each Temporary Event Notice received by it ;
  - (c) Details of various applications and notices received by the Council (as set out in Schedule 3 of the Act); and
  - (d) Such other information as may be prescribed.

Any person is permitted to obtain a copy of this information from the Council.

### **Delegation of functions**

- 2.46 In the interests of speed and efficiency the Council has delegated many licensing decisions and functions to officers. However, if the matter to be decided is controversial in any way (e.g. where relevant representations are received) or the determination of the matter under delegated powers is precluded by law then it will be decided by a Sub-Committee of the Licensing and Regulation Committee. Appendix A sets out the Council's scheme of delegation in respect of Licensing Matters.

## **PART 3: TYPES OF LICENCES, CERTIFICATES AND NOTICES**

### **General**

- 3.1 The Licensing Act 2003 sets out a comprehensive scheme for licensing of the sale of alcohol and provision of entertainment and late night refreshment. Depending on the circumstances, anyone proposing to carry out any of these activities may require one or more licences or notices under the Act.
- 3.2 Information on the various licences and notices is given on the Council's website ([www.winchester.gov.uk](http://www.winchester.gov.uk)). General advice and assistance may be obtained from the Council's Licensing Team.
- 3.3 There are an increasing number of events held on open land, in public parks and streets, or in temporary structures. Often, licensing and safety issues will need to be considered for such events. In response to the increase in these events, the Council has set up a Safety Advisory Group, in association with the other statutory authorities. The Group's terms of reference are to uphold reasonable standards of public safety at all public events in Winchester District, encourage the well being of the public at those public events, and ensure so far as possible that any inconvenience to residents, businesses and the general public arising from events is minimised. The Council will be developing the work of the Group over the period of this Licensing Policy, with the aim of assisting event organisers in meeting these objectives.

### **Personal licences**

- 3.4 A personal licence will be granted to any applicant, aged 18 or over, who possesses a relevant qualification or is a person of a prescribed description as determined by the Department of Culture, Media and Sport. A licence will not be granted to any applicant who has forfeited a personal licence in the five year period ending with the date of the application
- 3.5 The Police may oppose an application if an applicant has a relevant unspent conviction or a conviction for a comparable offence in a foreign jurisdiction.
- 3.6 Applicants who meet the statutory criteria in terms of age, qualifications and non-forfeiture, as mentioned above, will be granted a licence (subject to any Police objections being received). Applications that do not meet those criteria will be rejected.
- 3.7 If a Police objection is received the application will be determined by a Sub-Committee of the Licensing & Regulation Committee, at a hearing where all representations which are relevant to the grant or refusal of the licence will be taken into account. Matters to be considered may include the nature of any offences, the time since their commission and any mitigating circumstances. The Act requires the Council to reject an application if it considers it is necessary in the interests of crime prevention to do so and, where there is a Police objection, the normal course of events will be refusal **unless the applicant demonstrates** that there are exceptional and compelling reasons to grant the application.

There will be no need for a hearing if the applicant, Council and Chief Officer of Police agree that a hearing is not necessary.

- 3.8 The Council requires every application for a personal licence to be accompanied by a **basic online** criminal record disclosure form from the Disclosure and Barring

Service. This will assist the Council in determining whether the applicant has any relevant unspent convictions.

- 3.9 Applicants should also produce a signed statement confirming that they have not been convicted outside of England and Wales of a relevant offence or equivalent offence (spent convictions excluded). Applicants should be warned that the making of a false declaration for the purpose of obtaining a licence is a criminal offence for which they will be prosecuted.
- 3.10 Only the Courts may revoke a Personal Licence, following a conviction for a relevant offence. The Council expects a high standard from Personal Licence holders operating in the District and will promote such standards at all licensed premises. It will work with the Police and other licensing authorities to ensure that appropriate action is taken by the Courts where these standards have not been met.

### Temporary Event Notices

- 3.11 Temporary events involving relevant licensable activities may be held if certain criteria are fulfilled (these criteria include an audience capacity not exceeding 499 people attending and a maximum event period of 168 hours). However, the Council actively encourages persons organising such events ("premises users") to have due regard to any concerns of occupiers of premises adjacent to the proposed venue where the temporary event is due to take place.
- 3.12 When a temporary event is proposed, notice of the event, together with the relevant fee, must be served on the Council. A standard notice must be received at least 10 working days before the event. The Act also allows provision for a late Temporary Event Notice. Late notices must be given no later than 5 working days and no earlier than 9 working days. **This does not include the day the authority receives the notice or the day of the event.** Working days do not include weekends or bank holidays. The Council encourages premises users to serve notice on the Council as far as possible in advance of the proposed event. However, in order to allow the Police and Environmental Health to make a proper assessment of the situation, notices should not be served earlier than six months ahead of the event.
- 3.13 The premises user must also serve a copy of the notice on the local Chief Officer of Police and Environmental Health within the timescales laid down above in 3.12.
- 3.14 On receipt of a temporary event notice the Council will issue an acknowledgement notice in accordance with the requirements of the Act, unless a counter notice has been served under Section 107 of the Act. Counter notices under this Section relate to circumstances where the limits permitted under the Act for the service of temporary events notices are exceeded.
- 3.15 If the Chief Officer of Police and the Head of Environmental Health is satisfied that allowing the premises to be used in accordance with the notice will undermine any the licensing objectives, he/she must serve an objection notice stating his/her reasons, on both the Council and the premises user by the end of the third working day following the day on which the temporary event notice was received.
- 3.16 If the Council receives an objection notice it will hold a hearing to consider the objections (unless the Council, Police, Environmental Health and premises user agree that a hearing is unnecessary) and will give the premises user a counter notice under Section 105 of the Act if it considers it necessary for the promotion of the crime prevention objective to do so.

## **Club Premises Certificates**

- 3.17 The Council acknowledges that private premises to which public access is restricted and where alcohol is supplied, other than for profit, give rise to different issues for licensing law than those presented by commercial enterprises selling direct to the public. The Council encourages clubs to take advantage of the benefits offered to such premises such as the absence of a requirement for a Personal Licence Holder ("PLH") or Designated Premises Supervisor ("DPS").
- 3.18 The Council will consider applications for premises licences if the Club decides that it wishes to offer its facilities commercially for use by the general public but the applicant should remember that the appropriate planning consent should be sought prior to the application for a premises licence being submitted.
- 3.19 When premises have the benefit of a Club Premises Certificate, an application may be made to allow those running the premises to supply alcohol for consumption off the premises. Such supply will only be allowed during the hours that the premises are open for supply of alcohol to its members on the premises. Any such permission that is granted will be subject to conditions that any alcohol supplied will be in a sealed container and will only be supplied to members.

## **Premises Licences**

- 3.20 A premises licence is required for any premises being used for one or more licensable activity as defined in 2.1 above. "Premises" includes any "place" and public areas such as parks, squares and streets will be included in this definition. This means that if licensable events will be taking place in such areas (such as the annual Hat Fair), the areas will need to be licensed. The City Council has sought and obtained licences for some of these areas, to assist organisers of such events. Details of the areas covered, and the restrictions which apply, are available from the Council's Head of licensing. Those who may apply for licences are defined in Section 16 of the Act.
- 3.21 As recommended in the statutory Guidance, applicants for new premises licences (or major variations to premises licences) should undertake a thorough risk assessment with regard to the licensing objectives, which should then be used to prepare the required operating schedule.
- 3.22 The requirements in relation to applications for premises licences are set out in Section 17 of the Act and the Council will not be able to consider applications which do not comply with those requirements. This Section requires that applications must be accompanied by:
- an Operating Schedule that demonstrates that the licensed premises can comply with the Council's licensing policy and promotes the four licensing objectives. The operating schedule must be adequate and appropriate for the type, location and opening hours of the particular premises. The licensing policies and matters for consideration by applicants, as detailed in Part 4 of this Policy, need to be considered carefully and measures included in the Operating Schedule, where necessary, showing how compliance with those policies will be achieved. Where an Operating Schedule does not include a measure which (under the Policy) the Council would expect to see included, a justification should be provided in the Operating Schedule.
  - a plan of the premises to which the application relates in the prescribed form, details of the relevant premises supervisor and appropriate consent.
  - the appropriate fee.

Note: fee levels and prescribed forms may be viewed on the websites of the Department of Culture Media and Sport ([www.culture.gov.uk](http://www.culture.gov.uk)) and the Council ([www.winchester.gov.uk/licensing](http://www.winchester.gov.uk/licensing)), or can be obtained from the Council's Licensing Section.

- 3.23 Premises Licences will include the mandatory conditions which must be imposed in accordance with the Licensing Act 2003. These are:

***Where the Licence Authorises Supply of Alcohol:***

1. *No supply of alcohol may be made under the premises licence:*
  - (a) *At a time when there is no designated premises supervisor in respect of the premises licence, or*
  - (b) *At a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.*
2. *Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.*

**Where the Licence requires Door Supervision:**

Where individuals are required on premises to carry out security activities, they must be licensed by the Security Industry Authority.

**Where the Licence Authorises Exhibition of Films:**

Admission of children to the exhibition of any film is restricted in accordance with:

- (1) Where the film classification body is specified in the licence, unless subsection (2)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (2) Where:
  - (a) the film classification body is not specified in the licence; or
  - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question;admission of children must be restricted in accordance with any recommendation made by that licensing authority.

In this section: 'children' means persons aged under 18; and 'film classification body' means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 9(c 39) (authority to determine suitability of video works for classification).

**The Licensing Act 2003 (Mandatory Licensing Conditions) (Amendment) Order 2014 – effective from 1 October 2014**

1. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
2. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
  3. (1) *The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.*  
 (2) *The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.*  
 (3) *The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—*
    - (a) *a holographic mark, or*
    - (b) *an ultraviolet feature.*
  4. The responsible person must ensure that—
    - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
      - (i) beer or cider: ½ pint;
      - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
      - (iii) still wine in a glass: 125 ml;
    - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
    - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

**Licensing Act 2003 (Mandatory Licensing Conditions) Order 2014**  
**– effective from 28 May 2014**

1. *A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.*
2. *For the purposes of the condition set out in paragraph 1-*
  - (a) *“duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;*
  - (b) *“permitted price” is the price found by applying the formula-  $P = D + (D \times V)$  where-*
    - (i) *P is the permitted price,*
    - (ii) *D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and*
    - (iii) *V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;*
  - (c) *“relevant person” means, in relation to premises in respect of which there is in force a premises licence-*



- (i) *the holder of the premises licence,*
  - (ii) *the designated premises supervisor (if any) in respect of such a licence, or*
  - (iii) *the personal licence holder who makes or authorises a supply of alcohol under such a licence;*
  - (d) *“relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and*
  - (e) *“valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.*
3. *Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.*
  4.
    - (1) *Sub-paragraph 2 applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.*
    - (2) *The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.*

Premises Licences for the consumption of alcohol off the premises will only include conditions shown above in *italics*.

In addition, conditions reflecting the operating schedule will be imposed. Where representations are received and a hearing is held, the Council may also impose other conditions it considers necessary as a result of those relevant representations.

- 3.24 Applications for major variations will need to include an operating schedule which deals with the issues relating to the licensing objectives, insofar as these are affected by the variation sought. Representations following such applications can only address the variation, and not the licence which would otherwise result from the conversion application alone.

## **PART 4: LICENSING POLICIES & MATTERS FOR CONSIDERATION BY APPLICANTS**

This Part sets out the matters which applicants should have regard to, by reference to each of the Licensing Objectives. In submitting operating schedules, applicants should set out control measures which they propose to put in place, which will address the relevant issues as they apply to their application.

Applicants are encouraged to informally consult the Police, the City Council's Environmental Health and Building Control Sections and other relevant bodies, where applicable, such as the South Downs National Park Authority, before preparing operating schedules, in order to ensure that, so far as possible, any issues which such consultees might raise can be dealt with before the application is submitted.

Applicants should deal in their Operating Schedule with each of the four licensing objectives, and state the measures they propose to deal with these objectives. Where a suggested measure mentioned in this Policy is clearly not relevant in respect of particular premises or activities, responsible authorities are less likely to make representations if applicants indicate in their operating schedule why they have not included such measures.

The lists of possible measures are not to be regarded as absolute requirements or as "check lists" and will not be used by the Licensing Authority to create standard conditions.

### **Section A: Prevention of Crime and Disorder**

#### **A. Matters to be considered by applicants.**

- A.1 Applicants should have regard to the following matters when writing their operating schedules and are advised to consult Hampshire Police before submitting their application. If the Council receives a representation, additional conditions may be imposed at the Hearing that determines the application.
- A.2 It should be noted in particular that it is unlawful under the 2003 Act:
- To sell or supply alcohol to a person who is drunk
  - To sell or supply alcohol to a person who is under 18 years of age
  - To knowingly allow disorderly conduct on licensed premises
  - For the holder of a premises licence or a designated premises supervisor to knowingly keep or to allow to be kept on licensed premises any goods that have been imported without payment of duty or which have otherwise been unlawfully imported
  - To allow the presence of children under 16 who are not accompanied by an adult between midnight and 05:00 hrs at any premises licensed for the sale of alcohol for consumption on the premises and at any time in premises used exclusively or primarily for the sale and consumption of alcohol

Conditions enforcing these arrangements are therefore unnecessary.

- A.3 When applicants for premises licences or club premises certificates are preparing their operating schedules or club operating schedules, when responsible authorities are considering such applications and when the Council is considering applications, following receipt of any relevant representations from a responsible authority or interested party, the measures laid down in Section A.2 should be considered as practices which, if necessary, may promote the prevention of crime and disorder.
- A.4 Whether or not any risk assessment shows these measures to be necessary in the individual circumstances of any premises will depend on a range of factors including the nature and style of the venue, the activities being conducted there, the location of

the premises and the anticipated clientele of the business involved. It should also be borne in mind that club premises operate under their own codes of discipline to ensure the good order and behaviour of members.

A.5 Whether it is necessary to impose conditions on the licence or certificate will also depend on local knowledge of the premises.

A.6 Any individual preparing an Operating Schedule is at liberty to volunteer any measure, such as those described below in section A.8, as a step he or she intends to take to promote the licensing objectives. When incorporated into the licence or certificate as a condition, they become enforceable under the law and a breach of such a condition could give rise to prosecution.

## **GENERAL**

A.7 The following measures are designed to provide a range of conditions drawn from experience relating to differing situations and to offer guidance. They are not intended to be regarded as standard conditions to be automatically imposed in all cases.

A.8 The Applicant must indicate in the Operating Schedule the steps he/she proposes to prevent crime and disorder. For premises open between 2300 and 0800, and as appropriate for all other premises (depending on the specific premises and business being carried out), the Council would expect Operating Schedules to have considered and include arrangements for the measures set out below (unless the applicant can justify why such measures should not be required):

- Use of CCTV both within and outside the premises in accordance with the code of practice issued by the Information Commissioner from time to time e.g. warning signs
- Measures to prevent the bringing onto the premises of offensive weapons
- Procedures for risk assessing promotions and events such as "happy hours" including the potential to cause crime and disorder and plans for minimising such risks
- Measures to prevent the use or supply of illegal drugs
- Employment of door supervisors licensed by the Security Industry Authority and other appropriately trained staff
- Participation in an appropriate Watch Scheme or other body designed to ensure effective liaison with the local community
- Proof of Age schemes
- Controls on bottles, glasses and containers
- Occupancy limits
- Notices and signage, including a prominent sign giving the name of the personal licence holder designated as being in charge of the premises at the relevant time.
- No admissions after a specified time
- A personal licence holder to be on duty at the premises during opening hours

## **Reason**

Prevention of crime and disorder is one of the four licensing objectives of the Licensing Act 2003. It is important that Applicants identify measures taken to address this objective in their operating schedule.

## **Drugs/Alcohol Abuse**

- A.9 The Council will expect licensees to have adequate management practices in place, as well as suitable training for staff, to ensure that sales are not made to persons under the age of 18, or to persons who may supply to persons under that age. These practices also need to be in place to ensure that sales are not made to persons who are drunk, or in circumstances where it is likely that the sale of alcohol may result in crime and disorder.
- A.10 The Council will also expect licensees to be aware of the misuse of drugs and take all reasonable steps to prevent the entry of drugs into licensed premises, to take appropriate steps to prevent drugs being supplied within the premises and to take practical measures to prevent tragedies as a result of drug misuse. The BIIAB (British Institute of Innkeeping Awarding Body) National Certificate for Licensees (Drug Awareness) qualification is an appropriate method of demonstrating such awareness.
- A.11 In particular the Council will expect licensees of venues likely to be affected by alcohol or drug abuse to be familiar with the contents of Chapter 4 (drug awareness) of the BIIAB Level 2 National Certificate for Entertainment Licensees and to be following the recommendations of that handbook.
- A.12 The Council will also expect the relevant licensees to be following the recommendations of the book "Safer Clubbing" issued by the Home Office (ISBN 1840827807)

### **Reason**

Drug and alcohol abuse are problems associated with licensable premises. Conditions are required to assist operators of such premises to meet both the crime and disorder and the prevention of public nuisance objectives.

## **Shops Stores and Supermarkets.**

- A.13 The Council will generally consider licensing shops, stores and supermarkets to sell alcohol for consumption off the premises at any times they are open for shopping. However, shops must have adequate management practices to ensure that sales are not made to under 18 year olds and persons where there are grounds to believe that the sale will result in crime and disorder.
- A.14 However, if there are good reasons for restricting those hours, for example, where Police representations made in respect of shops known to be the focus of disorder and disturbance, then restriction of hours will be considered.
- A.15 Operating Schedules should indicate how the applicant will ensure that only staff aged over 18 years sell alcohol (or that any staff under 18 years old are closely supervised doing so). Schedules should also indicate what steps will be taken to avoid staff being intimidated into selling alcohol to children or young people.
- A.16 The Council therefore encourages shops to follow the existing good practice in the licensing trade by ensuring that CCTV is in operation on their premises at points of sale.
- A.17 The Council encourages partnership working to consider applications for Drink Banning Orders under Part 1 of the Violent Crime Reduction Act 2006.

- A.18 Such orders may apply to persons who engage in criminal or disorderly conduct while under the influence of alcohol; and, that such an order is necessary to protect other persons from further conduct by him of that kind whilst he is under the influence of alcohol.
- A.19 The Council may serve closure orders under Section 19 of the Criminal Justice and Police Act 2001.
- A.20 Where the Council is satisfied that any premises in the area of the authority are being, or within the last 24 hours have been, used for the unauthorised sale of alcohol for consumption on, or in the vicinity of, the premises, the authority may serve a closure notice in respect of those premises.
- A.21 Such orders may be served on a person having control of, or responsibility for the activities at the premises.

### **Reason**

The sale of alcohol from premises other than pubs or clubs throughout the day is integral to the Act. It is however necessary to ensure that suitable regimes are in place to prevent the sale of alcohol to persons under 18 years of age and to persons who are drunk. Controls will meet the need to address the potential for crime and disorder problems that such sales can present. In addition the controls required will also address the requirement under the Act to protect children from harm.

**Additional matters which should be considered by applicants are shown in Appendix B of this Policy**

## **Section B: Public Safety**

### **B. Matters to be considered by Applicants**

B.1 Where an applicant identifies an issue with regard to public safety (including fire safety) which is not covered by existing legislation, the applicant should indicate in their operating schedule the steps which will be taken to ensure public safety. When writing the operating schedule, due regard should be taken of the requirements of relevant legislation to secure adequate public safety, in particular those requirements prescribed in the Health and Safety at Work etc Act, and the Management of Health and Safety at Work Regulations.

B.2 In accordance with the Regulatory Reform (Fire Safety) Order 2005 ('the Fire Safety Order'), the Council will not impose fire safety conditions where the Order applies. A capacity limit may be suggested by the Hampshire Fire and Rescue Service within a risk assessment that has been conducted.

#### **The main guidance bibliography is listed in Appendix C to this Policy.**

B.3 Following receipt of an application, a responsible authority may make representations to the Council, if it considers that adequate provision for public safety has not been made or has not been demonstrated within the application.

B.4 When preparing their Operating Schedule, Applicants should consider the following matters and take them into account, and make reference to them in their Operating Schedule as appropriate (unless the Applicant can demonstrate that, taking into account the Public Safety objective, such measures are either unnecessary, or can be fulfilled by other different measures specified in the Operating Schedule).

- The date when the last Health and Safety and the specific Fire Safety risk assessments of the premises were carried out, along with any identified significant findings.
- A summary of any proposed changes or improvements to remedy the significant findings, with the date of their implementation.
- A copy of the emergency plan
- A single line scaled plan or architect's drawing, showing the general layout of the premises, fire safety provisions, including escape routes from the premises to a place of ultimate safety with any significant features
- Supporting evidence demonstrating adequate maintenance of fire safety provisions and systems. e.g. current servicing certificates.

Conditions will be imposed which reflect the proposals set out in the Operating Schedule and any breach of these conditions may give rise to prosecution.

B.5 The Council will expect effective arrangements to secure adequate public safety at all times. When preparing the Operating Schedule, applicants should take into account the areas listed below and any others which are identified from either of the Health and Safety and the specific Fire Safety risk assessments of the premises.

- Adequate provision for the safety of persons with special needs
- Adequate provision of safe ingress and egress to the premises at all times when in use
- Safe occupancy levels to be determined and suitable arrangements to ensure they are not exceeded (where necessary and not imposed by other legislation).
- Adequate means of escape in case of fire
- Adequate warning in case of fire

- Adequate provision for fire fighting
- Adequate levels of both normal and emergency lighting
- Suitable and adequate fire and safety notices
- Adequate levels of ventilation.
- Adequate provision for summoning the emergency services
- Suitable levels of non combustible or flame retarded finishes for the premises construction, wall and ceiling coverings, drapes and contents
- Adequate arrangements for the maintenance of safety equipment and systems.
- Adequate levels of training to staff members
- Suitable recording of maintenance, tests and training
- Testing of electrical wiring and systems
- Suitable access for emergency vehicles
- Adequate arrangements for the provision of first aid equipment
- Adequate safety for indoor Sports Entertainment
- Adequate numbers of attendants and marshals
- Adequate arrangements for the safe use and storage of equipment used for special effects

### **Reason**

The safety of the public at licensed premises is paramount and is one of the four licensing objectives.

**Additional matters which should be considered by applicants are shown in Appendix C of this Policy**

## **Section C: The Prevention of Public Nuisance**

### **C. Matters to be considered by Applicants**

- C.1 It should be noted that provisions of the Environmental Protection Act 1990 and the Noise Act 1996 provide some protection to the general public from the effects of noise nuisance. In addition, the provisions of Part 8 of the Licensing Act 2003 enable a senior Police officer to close down instantly, for up to 24 hours, licensed premises (and premises carrying on temporary permitted activities under a temporary event notice) that are causing nuisance resulting from noise emanating from the premises. These matters should be considered before deciding whether or not conditions are necessary for the prevention of public nuisance as defined in guidance issued under Section 182 of the Licensing Act 2003.
- C.2 Applicants are advised to consult the Team Leader (Environmental Protection) at Winchester City Council before submitting their application, if they have any questions concerning the issues set out in this Section.
- C.3 When addressing public nuisance, applicants should initially identify any particular issues (having regard to their particular type of premises and/or activities) which are likely to adversely affect the promotion of the objective to prevent public nuisance. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule. They should also have regard to the following matters when writing their operating schedules. If the Council receives a representation at the Hearing that determines the application, additional conditions may be imposed.

### **Noise Controls**

- C.4 Stricter conditions with regard to noise control will be expected in those areas of the District which have denser residential accommodation or low levels of background noise, such as the South Downs National Park which seeks to protect and enhance tranquillity, but this will not limit opening hours without regard to the individual merits of any application.
- C.5 The Operating Schedule must have regard to the nature of the area where the premises are situated, the type of premises concerned, the licensable activities to be provided, operational procedures and the needs of the local community. The Council will expect the Operating Schedule to demonstrate how it is intended that the premises will be "good neighbours" both to residents and to other venues and businesses and should have regard to guidance contained in the Good Practice Guide on the Control of Noise from Pubs and Clubs, March 2003 (produced by the Institute of Acoustics) and, where appropriate, the Code of Practice on Environmental Noise Control at Concerts (produced by the former Noise Council).

#### **Noise Controls (1) Noise from Regulated Entertainment**

- C.6 In established premises, the Licensing Authority expects that noise associated with regulated entertainment which takes place between the hours of 23:00 – 09:00 or takes place on a regular basis at any time should be controlled to such a level that the noise will be inaudible at all times inside all noise sensitive properties in the vicinity of the licensed premises.
- C.7 Where applicable, the applicant will be expected to adequately demonstrate that compliance with the inaudibility criteria will be achieved. Accordingly, the applicant may be required to appoint a competent noise control consultant to carry out acoustic



tests of the premises under worst-case conditions and identify suitable additional noise control measures required to meet the inaudibility criteria.

C.8 Except where there is no issue with noise, or where the applicant proposes appropriate alternative measures, the Council will expect the applicant to identify any areas of sound leakage from the premises and include in the Operating Schedule measures for addressing any areas so identified, such as:

- Keeping doors and windows closed and providing adequate mechanical ventilation
- Reducing sound levels and installing a sound limiting device to prevent sound exceeding the appropriate level
- Installing soundproofing measures to contain sound and vibration

C.9 In all cases the Council will expect the applicant to propose practical steps as to how disturbance to local residents will be prevented and the following general issues should be covered in the operating schedule:

- The establishment of an appropriate noise assessment procedure
- The establishment of monitoring systems to demonstrate compliance with noise policies and with any specific noise restrictions
- The establishment of an internal communications procedure for dealing with noise issues
- The establishment of methods for logging and responding to noise complaints within appropriate time limits
- The provision of general advice and training on noise control to employees

#### Temporary Premises and Outdoor Festivals

C.10 For events of short duration at temporary venues, such as outdoor music festivals, where it is impractical to ensure compliance with such a condition, bespoke noise criteria may be specified to ensure the protection of residents from noise nuisance. Such conditions will be based on current relevant National and International noise guidelines. The applicant may be required to appoint an acoustic consultant to demonstrate that compliance with the noise criteria can be met.

C.11 In October 2012 the Live Music Act was introduced. This amended the Licensing Act 2003 with respect to the performance of live music. The changes to the Act allow the performance of live unamplified music between the hours of 0800 and 2300 without the need of a licence. In addition to this, live amplified music for an audience of no more than 200 persons and between the hours of 0800 and 2300 does not require a licence providing the premises where the entertainment takes place has a licence to supply alcohol for consumption on the premises and is being sold at the event in accordance with the licence.

#### **Noise Controls (2) Plant and Machinery**

C.12 Fixed plant and machinery such as refrigeration equipment, air conditioning plant and cooking extraction systems, if not properly located designed, constructed and maintained, can cause noise disturbance. The noise produced may not be a problem during the early evening but may cause disturbance to local residents later at night when they are trying to sleep, i.e. after 23:00. The total noise energy (LAeq), background noise (LA90) and tonal content of the noise are important. Premises which will be operating such plant and machinery should demonstrate in their Operating Schedules that airborne and structure-borne noise produced will not cause

disturbance to local residents and this could include measures such as switching off fans and ventilation not required for public areas at 23:00.

### **Reason**

The licensable activities represent a potential at some venues for enhanced noise levels. Conditions specifically designed to reduce the nuisance that such events may cause to others are therefore required.

### **Noise Controls (3) Noise from Patrons**

- C.13 The Council will expect popular venues (including take-aways), which attract queues, to formulate a system to avoid disturbance to residents. This can sometimes be achieved by simply ensuring that the direction of the queue is as far away as possible from residential accommodation.
- C.14 However, excessive noise and/or disorder require more rigorous action. It is important that queues formed later in the evening are supervised to keep noise to a minimum. This action can also help stop drug dealers from passing on drugs during the queuing process but the primary purpose is to prevent noise and disturbance. Door supervisors will generally carry out this role, but they must be given clear instructions as to their duties and responsibilities where necessary they should be adequately supervised.
- C.15 The introduction of the Health Act 2006 (which prohibits smoking inside premises such as pubs, clubs, and restaurants) has led to an increase in the use of external areas of premises such as beer gardens, as well as pavements outside premises. The use of such areas by customers may have an impact on the Public Nuisance licensing objective, which should be considered by applicants when submitting applications for licences, and appropriate measures should be included in operating schedules where necessary.
- C.16 In terms of patrons leaving the premises particularly late at night (after 2300) or early in the morning the Council will expect the applicant to have included in the Operating Schedule such practical steps as:
- Erecting prominent notices at the exits to premises asking customers to leave quietly and not to slam car doors
  - At appropriate times making loudspeaker announcements within the premises to the same effect
  - Instructing door staff to ask customers leaving the premises to leave the area quietly
  - Reducing the volume of music towards the end of the evening and where appropriate playing quieter, more soothing music as the evening winds down
  - Giving free sweets or chocolate to customers as they leave
  - Where appropriate considering car jockey schemes
  - Availability of licensed taxis or private hire vehicles to take patrons from the premises

### **Anti Social Behaviour**

- C.17 It is self evident that the risk of disturbance to local residents is greater when licensable activities continue late at night and into the early hours of the morning. For example the risk of residents' sleep being disturbed by patrons leaving licensed premises is obviously greater at 02.00 than at 23.00.

- C.18 The policy of the Council is to strike a fair balance between the benefits to a community of a licensed venue and the risk of disturbance to local residents. Consequently in sensitive areas, and following relevant representations, the Council may restrict the hours of operation, as an alternative to extensive sound insulation and noise control measures.
- C.19 Premises open between 23.00 and 09.00 will be expected to have an Operating Schedule agreed with the Council that indicates the applicant is taking appropriate steps to comply with the licensing objective of preventing public nuisance.
- C.20 Exceptions may be made where it can be demonstrated that:
- (a) the licensable activities would not be likely to cause adverse impact especially on local residents and that, if there is a potential to cause adverse impact, appropriate measures will be put in place to prevent it; and
  - (b) there will not be any increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area;

### **Reason**

Special conditions may be required to address disturbances on licensable premises and their immediate vicinity brought about by the behaviour of patrons that cause nuisance to others.

### **Outside Areas**

- C.21 The beer gardens of public houses and particularly rural public houses are an asset to the premises. Similarly, the provision of tables and chairs outside the premises, either on the highway or on private land, can enhance the attractiveness of the venue. It can have the benefit of encouraging a continental style café culture. However, late at night these same tables and chairs can contribute to noise problems. This is because they can encourage patrons and passers by to loiter rather than disperse. In certain locations they have been taken over by gangs of noisy youths, and also have the potential to be used as weapons in violent situations.
- C.22 The leaving of tables and chairs on the public highway will need the consent of the City Council under the Highways Act 1980. Consents issued under this legislation will require the tables and chairs to be removed outside the hours permitted in the consent. On private land consent may not be required, but the Operating Schedule must adequately address crime and disorder and public nuisance issues. Where a potential for problems of this nature is present, Operating Schedules should indicate how the adverse impact would be avoided, which may include proposals for removing the tables and chairs before certain times, or otherwise effectively limiting or preventing their use outside certain hours. In predominantly commercial areas such as shopping centres the Council will normally allow hours of operation of 08.00 to 23.00. At the conclusion of these hours the Council will expect the removal of these tables and chairs
- C.23 There should be no loud speakers outside the building unless agreed by the Council for a specific event or the amplified announcement of food orders outside the building and the Operating Schedule must include measures to control noise e.g. hours of use, if near residential premises.
- C.24 If these hours lead to adverse impacts on the safety and amenity of local residents they may be reduced on review unless appropriate measures have been agreed with the Council to mitigate these impacts.

### **Reason**

A policy is required to balance between providing refreshment in the open air and avoiding nuisance to others. The need to control street furniture also impacts on the public safety and the crime and disorder requirements as the abuse of street furniture must be considered.

### **Sanitary Accommodation**

- C.25 Premises must have sufficient toilet provision for males and females, adequately signed, located, maintained and kept clean. In certain circumstances applicants may wish to erect notices on the premises suggesting customers may wish to avail themselves of the toilet facilities before leaving the premises.

### **Reason**

To prevent the nuisance of people urinating or defecating in public places having visited licensed premises that have inadequate sanitary accommodation.

### **Exterior Lighting**

- C.26 Exterior lighting and security lighting must be positioned to avoid disturbing neighbouring residential property.

### **Reason**

Prevent the potential for nuisance due to bright lights shining into neighbouring properties.

**Additional matters which should be considered by applicants are shown in Appendix D of this Licensing Policy**

## **Section D: Protection of Children**

### **D. Matters to be considered by Applicants**

- D.1 When addressing the protection of children, applicants should initially identify any particular issues (having regard to their particular type of premises and/or activities) which are likely to cause concern in relation to children. Such steps as are required to deal with these identified issues should be included within the applicant's Operating Schedule. They should also have regard to the following matters when writing their operating schedules and are advised to consult the relevant Area Child Protection Team, (The Safeguarding Unit, Falcon House, Monarch Way, Winchester SO22 5PL)
- D.2 If the Council receive a representation, additional conditions may be imposed at the Hearing that determines the application.
- D.3 It should be noted that it is unlawful under the 2003 Act to permit unaccompanied children under the age of 16 to be present
- (a) on premises exclusively or primarily used for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or a temporary event notice when open for the purposes of being used for the supply of alcohol for consumption there; or
  - (b) between midnight and 05.00 at premises supplying alcohol for consumption on those premises under the authorisation of any premises licence, club premises certificate or temporary event notice.

Conditions duplicating these provisions are therefore unnecessary.

### **Adult Entertainment**

- D.4 In most cases, adult entertainment, such as striptease or lapdancing, will be controlled under the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009 (see paragraph 1.7 of Part 1 above). Where the Licensing Act 2003 applies to such adult entertainment, however, the following provisions will apply to such regulated entertainment.

The Council will take into account the increased risk to the licensing objectives arising from adult entertainment.

NOTE: For the sake of convenience the term "striptease" in this part of the policy should be taken to refer to any entertainment or service involving exposure of private parts or the sexual stimulation of patrons.

- D.5 Where such entertainment is provided the operating schedule must include measures designed to ensure that children are not admitted to and cannot witness these activities and to prevent crime and disorder problems. For example:
- D.5.1 The area proposed for striptease shall:
- (a) be in a position where the performance cannot be seen from the street;
  - (b) be in a designated area of the premises with segregation from the audience;

- (c) be in a position where the performers will have direct access to the dressing room without passing through or in close proximity to the audience.

D5.2 Whilst striptease entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice shall be displayed at each entrance to the premises in a prominent position, so that it can be easily read by persons entering the premises, in the following terms:

**“NO PERSON UNDER 18 WILL BE ADMITTED”**

D.5.3 To prevent the possibility of children seeing unsuitable advertisements, unless the advertisement has been previously agreed by the Council, the policy of the Council will be to attach a condition to the effect that “Except with the consent of the Council there shall be no external advertising of the striptease entertainment either at the premises or in its immediate vicinity.”

**Reason**

These policies are designed to further the licensing objective of protecting children by preventing them being exposed to unsuitable material or acts. They are also designed to further the crime prevention and prevention of nuisance objectives by recognising the increased risk of nuisance or illegal activities such as performers offering “extras” to customers or the plying for trade by prostitutes.

**Additional Controls**

D.6 The Council will take strong measures to protect children from harm. In particular, it will ensure that strenuous efforts are made to reduce unlawful drinking of alcohol by children and young people under the age of 18. Examples of premises where the introduction of additional controls are likely to be necessary are:

- Where there have been convictions for serving alcohol to a minor or with a reputation for under-age drinking
- Where the premises or the activities being provided are likely to attract to children and young people seeking to unlawfully drink alcohol
- With a known association with drug taking or dealing
- Where there is a strong element of gambling on the premises
- Where entertainment of an adult or sexual nature is provided

D.7 In such circumstances, it may sometimes be necessary to impose a complete prohibition, although this would only be imposed rarely. The Council would normally require:

- Limitations on the hours when children may be present
- Age limitations below 18
- Limitations or exclusions when certain activities are taking place
- Requirements for accompanying adults
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

D.8 Where there is provision of entertainment specifically for children (e.g. a children’s disco) the Council will require the presence of sufficient adults to control the access and egress of the children and assure their safety.

## **Reason**

These policies are designed to allow flexibility for the licensee, to ensure that where appropriate licensed premises are “user friendly” for children but to ensure they are adequately protected.

## **Children & Cinemas**

- D.9 The Council expects licensees to include in their Operating Schedule arrangements for restricting children from viewing age restricted films classified according to the recommendations of the British Board of Film Classification.
- D.10 Where the exhibition of films is permitted the Council will expect the age restrictions of the British Board of Film Classification (BBFC) in respect of the films to be exhibited to be complied with. Only in exceptional cases will variations to this general rule be granted by the Council and then only with appropriate safeguards.
- D.11 In relation to specialist Film Festivals, where it is desired to show films not classified by the BBFC, the Council will, provided adequate notice has been given, classify the films concerned. To achieve consistency and the protection of children the Council will use the guidelines published by the BBFC.

## **Reason**

To prevent children from viewing unsuitable films.

## **Children and Regulated Entertainment**

- D.12 It is expected that adult staff will be present at places of public entertainment to control the access and egress of children and to protect them from harm. This requirement also applies to children present at an event as performers, in which case for every ten children there must be one supervising adult present at all times.

## **Children and Purchase of Alcohol**

- D.13 The Council will actively encourage licensees to keep registers of refused sales (refusals/challenge books) where sales of alcohol and any other age-restricted goods have been refused for any reason. Keeping such records will help to demonstrate that responsibilities for checking ages of purchasers are being taken seriously. Refusals/challenge books should be kept on the licensed premises and be made available for inspection by the Licensing Officer, Trading Standards or the Police.

**Additional matters which should be considered by applicants are shown in Appendix E of this Policy.**

## **APPENDIX A**

### **SCHEME OF DELEGATION**

<b>Matter to be dealt with</b>	<b>Licensing Sub-Committee</b>	<b>Head of Licensing</b>
Application for personal licence	If Police objection is made owing to unspent relevant convictions.	In all cases unless a Police objection is made owing to unspent relevant convictions.
Application for premises licence/club premises certificate	If a relevant representation is made	If no relevant representation is made
Application for provisional statement	If a relevant representation is made	If no relevant representation is made
Application to vary premises licence/club premises certificate	If a relevant representation is made	If no relevant representation is made
Application to vary Designated Premises Supervisor	If a Police objection is made	In all other cases
Request to be removed as Designated Premises Supervisor		In all cases
Application for transfer of premises licence	If a Police objection is made	In all other cases
Application for interim authorities	If a Police objection is made	In all other cases
Application to review premises licence/club premises certificate	In all cases	
Decision on whether a complaint is irrelevant, frivolous, vexatious, etc		In all cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a Police or Environmental Health objection to a temporary event notice	In all cases	
In cases where the Magistrates' Court has determined the licence on appeal		In all cases
Application for a minor variation to premises licence/club premises certificate		In all cases
Decision on whether an application for minor		In all cases



Matter to be dealt with	Licensing Sub-Committee	Head of Licensing
variation should be referred to a responsible authority		
Application to disapply the mandatory condition for a Designated Premises Supervisor at community premises	If a Police objection is made	In all other cases

## **APPENDIX B**

### **Prevention of Crime and Disorder**

#### **Measures which should be considered**

##### **Electronic Communication Devices**

Electronic communication devices such as radios or text pagers connecting premises licence holders, designated premises supervisors, and managers of premises clubs to the local Police can provide for rapid response by the Police to situations of disorder which may be endangering the customers or staff on the premises.

Such devices provide two-way communication, enabling licence holders, managers, designated premises supervisors and clubs to report incidents to the Police and also enabling the Police to warn a large number of other premises of potential trouble-makers or individuals suspected of criminal behaviour who are about in a particular area. Radios or pager systems can also be used by licence holders, door supervisors, managers, designated premises supervisors and clubs to warn each other of the presence of such people in an area.

##### **Door Supervisors**

Conditions relating to the provision of door supervisors and security teams may be valuable in:

- Preventing the admission and ensuring the departure from the premises of the drunk and disorderly, without causing further disorder
- Keeping out excluded individuals (subject to court bans or imposed by the licence holder)
- Searching and excluding those suspected of carrying illegal drugs, or carrying offensive weapons
- Maintaining orderly queuing outside of venues prone to such queuing

Where door supervisors conducting security activities are to be a condition of a licence, which means that they would have to be registered with the Security Industry Authority, conditions may also need to deal with a number of such supervisors, the displaying of name badges, the carrying of proof of registration, where and at what times they should be stationed on the premises and whether at least one female should be available (for example, if female customers are to be the subject of body searches).

Door supervisors also have a role to play in ensuring public safety.

##### **Bottle Bans**

Bottles may be used as weapons inflicting more serious harm during incidents of disorder. A condition can prevent sales of drinks in their bottles for consumption on the premises. However, many women consider that drinking from bottles to be safer as it is easier for them to prevent the spiking with drugs of drinks in bottles the openings of which may be readily covered. These issues, therefore, need to be carefully balanced.

##### **Plastic Containers and Toughened Glass**

Glasses containing drinks may be used as weapons during incidents of disorder and can cause very serious injuries. Consideration should therefore be given to conditions requiring either the use of plastic containers or toughened glass that inflicts less severe injuries. Location and style of the venue and the activities carried on there would be particularly

important in assessing whether a condition is necessary. For example, the use of glass containers on the terraces of outdoor sports grounds may obviously be of concern, but similar concerns may also apply to indoor sports events such as boxing matches. Similarly, the use of such plastic containers or toughened glass during the televising of live sporting events, such as international football matches, when high states of excitement and emotion fuelled by alcohol might arise, may be a necessary condition.

It should also be noted that the use of plastic or paper drinks containers and toughened glass may also be relevant as measures to promote public safety.

## **CCTV**

The presence of CCTV cameras can be an important means of deterring and detecting crime at and immediately outside licensed premises. Operating Schedules should state the precise siting of each camera, the arrangements which will be put in place to maintain cameras in working order and the proposed retention period for such tapes.

The Police should provide individuals conducting risk assessments (when preparing Operating Schedules with advice on the use of CCTV to prevent crime).

## **Open Containers Not to be Taken From the Premises**

Drinks purchased in licensed premises or clubs may be taken from those premises for consumption elsewhere. Where premises are licensed for the sale of alcohol for consumption off the premises that would be entirely lawful. However, consideration should be given to preventing the taking of alcoholic and other drinks from the premises in open containers (e.g. glasses and opened bottles). This may again be necessary to prevent the use of these containers as offensive weapons in surrounding streets after individuals have left the premises.

## **Restrictions of Drinking Areas**

It may be necessary to restrict the areas where alcoholic drinks may be consumed in premises after they have been purchased from the bar. An example would be at a sports ground where the police consider it necessary to prevent the consumption of alcohol on the terracing of sports grounds during particular sports events. Operating Schedules should not only specify these areas, but also indicate the circumstances in which the ban would apply and times at which it should be enforced.

## **Capacity Limits**

Capacity limits are not enforceable under the Licensing Act 2003, however the Hampshire Fire and Rescue Service recommends that premises users include a capacity limit within their Risk Assessment.

## **Crime Prevention Notices**

It may be necessary at some premises for notices to be displayed warning customers of the prevalence of crime that may affect them. For example, in certain areas, a condition attached to a premises licence or club premises certificate might require the displaying of notices at the premises advising customers about the need to be vigilant of unattended bags because of concerns about terrorism.

## **Signage**

It may be necessary for the normal hours under the terms of the premises licence or club premises certificate at which licensable activities are permitted to take place to be displayed

on or immediately outside the premises so that it is clear when breaches of the terms of the licence or certificate are taking place.

Similarly, it may be necessary for any restrictions on the admission of children to be displayed on or immediately outside the premises so that the consequences of breaches of these conditions would also be clear and to deter those who might seek admission in breach of those conditions.

It will often be important for the Police, authorised officers and members of the public to know the name of the person who is in charge of the premises when they are open for trading. In appropriate circumstances, a condition may be imposed requiring the name of the duty manager or other responsible person in charge to be displayed.

Reference: Home office guide – Design out crime

## **APPENDIX C**

### **Public Safety**

The following bibliography provides suitable information and guidance to assist applicants to determine the appropriate provisions and standards required for public safety.

Model National and Standard Conditions for Places of Public Entertainment and Associated Guidance ISBN 1 904031 11 0 (Entertainment Technology Press – ABTT Publications)

BS: 5588 Part 6: 1991. “Code of practice for places of assembly”

Approved document B to the Building Regulations.

Guide to Fire Precautions in Existing Places of Entertainment ISBN 0 11 340907 9 (HMSO 1990)

Fire safety, “An Employers Guide” ISBN 0 11 341229 0

Fire Safety Manual – Volume 3: Part A: Section 1 “Licensing of Community Premises – Inspection Policy

Sample conditions of licence/Local Authority Regulations relating to Entertainment – fire safety reference material.

DCOL 14/1995 – Technical Standards for marquees and large tents provided for exhibitions and entertainment.

HSG 195 – The Event Safety Guide, a guide to health, safety and welfare at music and similar events (HSE 1999) (“The Purple Book”) ISBN 0 7176 2453 6

HSE/Home Office “Guide to Health Safety and Welfare at Pop Concerts and similar events”.

Managing Crowds Safely (HSE 2000) ISBN 0 7176 1834 X

5 Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 07176 15804

The Guide to Safety at Sports Grounds (The Stationery Office 1997) (“The Green Guide”) ISBN 0 11 300095 2

Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances published by the independent Street Arts Network, copies of which may be obtained through [www.streetartsnetwork.org/pages/publication](http://www.streetartsnetwork.org/pages/publication)

Additional assistance on fire safety related matters can be found by visiting Hampshire Fire and Rescue Service web site: [www.hantsfire.gov.uk](http://www.hantsfire.gov.uk)

## Additional Measures to be considered

### 1. Disabled People

In certain premises where existing legislation does not provide adequately for the safety of the public, consideration might also be given to conditions that ensure that:

- When disabled people are present, adequate arrangements exist to enable their safe evacuation in the event of an emergency; and
- Disabled people on the premises are made aware of those arrangements.

### 2. Escape routes

It may be necessary to include conditions relating to the maintenance of all escape routes and exits, including external exits. These might be expressed in terms of the need to ensure that such exits are kept unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified. In restaurants and other premises where chairs and tables are provided this might also include ensuring that internal gangways are kept unobstructed.

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- All exits doors are easily openable without the use of a key, card, code or similar means;
- Doors at such exits are regularly checked to ensure that they function satisfactorily and a record of the check kept;
- Any security fastenings are removed prior to the premises being open to the public;
- All fire doors are maintained effectively self-closing and shall not be held open
- Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut
- The edges of the treads of steps and stairways are maintained so as to be conspicuous
- Adequate handrails to staircases and changes of floor level

### 3. Safety checks

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Safety checks are carried out before the admission of the public; and
- Details of such checks are kept in a log - book.

### 4. Curtains, hangings, decorations and upholstery

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Hangings, curtains and temporary decorations are maintained in a flame-retardant condition; and
- Any upholstered seating meets on a continuous basis the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with Part 5 of BS 5852:1990; and
- Curtains, hangings and temporary decorations are arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment; and
- Any temporary decorations which may be used from time to time must be specified in the Operating Schedule. Any decorations that are not so specified must not be used without the express consent of the Council.

#### 5. Accommodation limits

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Arrangements are made to ensure that any capacity limit imposed under the premises licence or club premises certificate is not exceeded; and
- The personal licence holder, a club official, manager or designated premises supervisor should be aware of the number of people on the premises and required to inform any authorised person of these details on request.

#### 6. Fire action notices

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade should be summoned, are prominently displayed and protected from damage and deterioration.

#### 7. Outbreaks of fire

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- The fire brigade must be called at once to any outbreak of fire, however slight and the details recorded in a Fire Log-book.

#### 8. Loss of water

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- The local Fire Control centre are notified as soon as possible if the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.

## 9. Access for emergency vehicles

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Access for emergency vehicles is kept clear and free from obstruction.

## 10. First aid

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Adequate and appropriate supplies of first aid equipment and materials are available on the premises.
- At least one suitably trained first-aider shall be on duty when the public are present; and if more than one suitably trained first-aider that their respective duties are clearly defined.

## 11. Lighting

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- In the absence of adequate daylight, the lighting in any area accessible to the public, members or guests shall be fully in operation when they are present.
- Fire safety signs are adequately illuminated.
- Emergency lighting is not to be altered without the consent of the Council.
- Emergency lighting batteries are fully charged before the admission of the public, members or guests.
- In the event of the failure of normal lighting, where the emergency lighting battery has a capacity of an hour, arrangements are in place to ensure that the public, members or guests leave the premises within 20 minutes unless within that time normal lighting has been restored and the battery is being re-charged; and, if the emergency lighting battery has a capacity of three hours the appropriate period by the end of which the public should have left the premises is one hour.

## 12. Temporary electrical installations

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Temporary electrical wiring and distribution systems are not provided without notification to the Council at least ten days before commencement of the work.
- Temporary electrical wiring and distribution systems shall comply with the recommendations of BS 7671 or where applicable BS 7909.
- Temporary electrical wiring and distribution systems are inspected and certified by a competent qualified person before they are put to use.



### 13. Ventilation

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- Where the ventilation system is designed to maintain positive air pressure within part of the premises, that pressure is maintained whenever the public, member or guests are present in that part of the premises.
- Ventilation ducts are kept clean.
- Air filters are periodically cleaned and replaced to maintain a satisfactory air supply.

### 14. Indoor Sports Entertainment

In certain premises where existing legislation does not provide adequately for the safety of the public or club members and guests, consideration might also be given to conditions that ensure that:

- If necessary, an appropriately qualified medical practitioner is present throughout a sports entertainment involving boxing, wrestling, judo, karate or other sports entertainment of a similar nature.
- Where a ring is involved, it is constructed and supported to the satisfaction of the Council and any material used to form the skirt around the ring is flame-retardant.
- At any wrestling or other entertainments of a similar nature members of the public do not occupy any seat within 2.5 metres of the ring.
- At water sports entertainments, staff adequately trained in rescue and life safety procedures are stationed and remain within the vicinity of the water at all material times (see also Managing Health and Safety in Swimming Pools issued jointly by the Health and Safety Commission and Sport England).

### 15. Theatres and Cinemas (Promotion of Public Safety)

There are particular matters in the context of public safety and fire safety, which should be considered in connection with theatres and cinemas. The principle remains that conditions must be necessary and should be established through risk assessment.

#### **Premises used for Closely Seated Audiences**

##### Attendants

- (a) The number of attendants on each floor in a closely seated auditorium should be as set out in the table below:

Number of members of the audience present on a floor	Minimum number of attendants required to be present on that floor
1 - 100	One
101 - 250	Two
251 - 500	Three
501 - 750	Four
751 - 1000	Five
And one additional attendant for each additional 250 persons (or part thereof)	

- (b) Attendants shall not be engaged in any duties that would hinder the prompt discharge of their duties in the event of an emergency or entail their absence from that floor or auditorium where they are on duty.
- (c) Any attendant shall be readily identifiable to the audience (but this need not entail the wearing of a uniform).
- (d) The premises shall not be used for a closely seated audience except in accordance with seating plan(s), a copy of which is available at the premises and shall be shown to any authorised person on request.
- (e) No article shall be attached to the back of any seat which would reduce the clear width of seat ways or cause a tripping hazard or obstruction.
- (f) A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised person on request.

#### Standing and Sitting in Gangways etc

- (a) Sitting on floors shall not be permitted except where authorised in the premises licence or club premises certificate.
- (b) Waiting or standing shall not be permitted except in areas designated in the premises licence or club premises certificate.
- (c) In no circumstances shall anyone be permitted to -
  - (i) sit in any gangway
  - (ii) Stand or sit in front of any exit; or
  - (iii) Stand or sit on any staircase including any landings.

#### Drinks

Except as authorised by the premises licence or club premises certificate, no drinks shall be sold to or be consumed by a closely seated audience except in plastic and paper containers.

#### Balcony Fronts

Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

#### Special effects

Any special effects or mechanical installation should be arranged and stored so as to minimise any risk to the safety of the audience, the performers and staff. Advance warning of any special effects should be given.

Special effects include:

- Dry ice machines and cryogenic fog
- Smoke machines and fog generators
- Pyrotechnics, including fireworks
- Real flame
- Firearms
- Motor vehicles
- Strobe lighting

- Lasers (see HSE Guide The Radiation Safety of lasers used for display purposes [HS(G)95] and BS EN 60825: Safety of laser products)
- explosives and highly flammable substances
- In certain circumstances, it may be necessary to require that certain special effects are only used with the prior consent of the Council.

### Scenery

Any scenery should be maintained flame-retardant.

### Safety curtain

Where a safety curtain is necessary, it should be arranged so as to protect the audience from the effects of a fire or smoke on stage for sufficient time to enable the safe evacuation of the auditorium.

Where a stage with a proscenium arch is not equipped with a safety curtain, any curtains provided between the stage and the auditorium should be heavyweight and be made of non-combustible material or inherently or durably treated flame-retarded fabric.

### Ceilings

All ceilings in those parts of the premises to which the audience are admitted should be inspected by a suitably qualified person every five years and a structural safety certificate concerning the condition of the ceilings forwarded to the Council.

### Seating

Where potential audience exceeds 250 all seats in the auditorium should, except in boxes accommodating not more than 8 persons, be either securely fixed to the floor or battened together in lengths of not fewer than four or more than twelve.

## **Premises used for Film Exhibitions**

### Attendants - premises without a staff alerting system

Where the premises are not equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty
1 - 250	Two
And one additional attendant for each additional 250 members of the audience present (or part thereof)	
Where there are more than 150 members of an audience in any auditorium or on any floor	At least one attendant shall be present in any auditorium or on any floor

### Attendants - with a staff alerting system

(a) Where premises are equipped with a staff alerting system the number of attendants present should be as set out in the table below:

Number of members of the audience present on the premises	Minimum number of attendants required to be on duty	Minimum number of staff on the premises who are available to assist in the
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		event of an emergency
1 - 500	Two	One
501 - 1000	Three	Two
1001 - 1500	Four	Four
1501 or more	Five plus one for every 500 (or part thereof) persons over 2000 on the premises	Five plus one for every 500 (or part thereof) persons over 2000 on the premises

- (b) Staff shall not be considered as being available to assist in the event of an emergency if they are:
- (i) the holder of the premises licence or the manager on duty at the premises; or
  - (ii) a member of staff whose normal duties or responsibilities are likely to significantly affect or delay his response in an emergency situation; or
  - (iii) a member of staff whose usual location when on duty is more than 60 metres from the location to which he is required to go on being alerted to an emergency situation.
- (c) Attendants shall as far as reasonably practicable be evenly distributed throughout all parts of the premises to which the public have access and keep under observation all parts of the premises to which the audience have access.
- (d) The staff alerting system shall be maintained in working order.

#### Minimum Lighting

The level of lighting in the auditorium should be as great as possible consistent with the effective presentation of the film; and the level of illumination maintained in the auditorium during the showing of films would normally be regarded as satisfactory if it complies with the standards specified in BS CP 1007 (Maintained Lighting for Cinemas).

#### Flammable films

No flammable films should be allowed on the premises without the consent of the Council.

## **APPENDIX D**

### **THE PREVENTION OF PUBLIC NUISANCE**

#### **Additional matters to be considered**

##### 1. Nature of Activities

Operating Schedules should set out the type of licensable activities which are planned for the premises and assess the potential public nuisance which could arise as a result of such activities. The Operating Schedule should then set out the physical works and other measures proposed to mitigate or avoid such effects.

##### 2. Proximity to Residential Premises

The location of the premises should be described in relation to nearby residential premises (usually by way of a map at an appropriate scale) and again the impact on these premises should be assessed and appropriate mitigation/avoidance measures set out.

##### 3. Management of Premises

The Operating Schedule should explain how the premises will be run to prevent public nuisance. Measures proposed could include door staff being provided to manage queues, etc.

##### 4. Hours

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted by the conditions of a premises licence or a club premises certificate for the prevention of public nuisance. This must be balanced by the potential impact on disorder that results from artificially early fixed closing times.

Restrictions could be necessary on the times when certain licensable activities take place even though the premises may be open to the public at such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue.

Restrictions might be necessary on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises is open to the public or members and their guests, regulated entertainment might not be permitted in a garden area of the premises after a certain time.

##### 5. Noise and vibration

In certain premises where legislation does not provide adequately for the prevention of public nuisance, consideration might be given to conditions that ensure that:

- Noise or vibration does not emanate from the premises so as to cause a nuisance to the occupants of nearby properties. This might be achieved by a simple requirement to keep doors and windows at the premises closed, or to use noise limiters on amplification equipment used at the premises.
- Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- Prohibit certain rooms from being used for purposes that create noise.

- The use of explosives, pyrotechnics and fireworks of a similar nature, which could cause disturbance in surrounding area are restricted.
- The placing of refuse - such as bottles - into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.

#### 6. Noxious smells

In certain premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration might be given to conditions that ensure that:

- Noxious smells from licensed premises are not permitted so as to cause a nuisance to nearby properties and the premises are properly vented.

#### 7. Light pollution

Flashing or particularly bright lights on or outside licensed premises should not cause a nuisance to nearby properties, particularly in the South Downs National Park and in areas proximate to that, in order to protect tranquillity. Any such condition needs to be balanced against the benefits to the prevention of crime and disorder of bright lighting in certain places.

## **APPENDIX E**

### **THE PROTECTION OF CHILDREN**

#### **Additional matters to be considered**

##### **Access for children to licensed premises - in general**

Restrictions on the access of children under 18 to premises where licensable activities are being carried on should be made where it is necessary to protect children from harm. Conditions attached to premises licences and club premises certificates may reflect the concerns of responsible authorities and interested parties who have made representations but only where the Council considers such conditions necessary to protect children from harm. Whilst applications in relation to premises licences and club premises certificates must be judged by the Council on their individual merits and characteristics, the Secretary of State recommends (unless there are circumstances justifying the contrary) that:

- For any premises with known associations (having been presented with evidence at a hearing) with underage drinking, drugs, significant gambling, or any activity or entertainment (whether regulated entertainment or not) of a clearly adult or sexual nature, there should be a strong presumption against permitting any access at all for children under 18 years. Applicants wishing to allow access for children to premises where these associations may be relevant, when preparing Operating Schedules or club Operating Schedules or variations of those schedules, for the purposes of obtaining or varying a premises licence or club premises certificate, should:
  - Explain their reasons; and
  - Outline in detail the steps that they intend to take to protect children from harm on such premises.
  
- For any premises, not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 2200 hrs in the evening, there should be a presumption against the presence of children under the age of 12 unaccompanied by adults after that time. Applicants wishing to allow access when preparing operation schedules or variations of those schedules or club Operating Schedules for the purposes of obtaining or varying a premises licence or club premises certificate should:
  - Explain their reasons; and
  - Outline in detail the steps that they intend to take to protect children from harm on such premises.

In any other case, subject to the personal licence holder, designated premises supervisor or club's discretion, the expectation would be for unrestricted access for children of any age to premises. An operating schedule or club operating schedule should indicate any decision for the premises to exclude children completely, following from which there would be no need to include in the schedule steps the applicant proposes to take to promote the protection of children from harm.

##### **Age Restrictions - specific**

Under the 2003 Act a wide variety of licensable activities could take place at various types of premises and at different times of the day and night. Whilst it may be appropriate to allow children unrestricted access at particular times and when certain activities are not taking place the Council (following relevant representations made by responsible authorities and interested parties) will need to consider a range of conditions that are tailored to the particular premises and their activities where these are necessary. The Council will consider:

- The times of day during when age restrictions should and should not apply. For example, the fact that adult entertainment may be presented at premises after 2000 hrs does not mean that it would be necessary to impose age restrictions for earlier parts of the day.
- Types of event or activity in respect of which no age restrictions may be needed, for example;
  - Family entertainment; or
  - Non-alcoholic events for young age groups such as under 18s dances

Similarly, types of event or activity that give rise to a more acute need for age restrictions than normal, for example:

- During "Happy Hours" or on drinks promotion nights;

### **Age restrictions - cinemas**

The Secretary of State considers that, in addition to the mandatory condition imposed by virtue of Part 20 of the Act, requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under Part 4 of the Video Recordings Act 1984 or by the Council itself, conditions restricting the admission of children to film exhibitions should include:

- A condition that where the Council itself is to make recommendations on the admission of children to films, the cinema or venue operator must submit any film to the authority that it intends to exhibit 28 days before it is proposed to show it. This is to allow the authority time to classify it so that the premises licence holder is able to adhere to any age restrictions then imposed.
- A condition that when films are classified, by either the film classification body as specified in the licence or the Council, they should be classified in the following way:
  - U Universal - suitable for audiences aged four years and over.
  - PG Parental Guidance. Some scenes may be unsuitable for young children.
  - 12 Passed only for viewing by persons aged 12 years or older.
  - 12A Passed only for viewing by persons aged 12 years or older or persons younger than 12 when accompanied by an adult.
  - 15 Passed only for viewing by persons aged 15 years and over.
  - 18 Passed only for viewing by persons aged 18 years and over.
- That conditions specify that immediately before each exhibition at the premises of a film passed by the British Board of Film Classification there shall be exhibited on screen for at least five seconds in such a manner as to be easily read by all persons in the auditorium a reproduction of the certificate of the Board or, as regards a trailer advertising a film, of the statement approved by the Board indicating the classification of the film.
- A condition that when a Council has made a recommendation on the restriction of admission of children to a film, notices are required to be displayed both inside and outside the premises so that persons entering can readily be made aware of the classification attached to any film or trailer. Such a condition might be expressed in the following terms:



"Where a programme includes a film recommended by the Council as falling into the 12, 12A, 15 or 18 category no person appearing to be under the age of 12, under 12 and unaccompanied, 15 or 18 as appropriate shall be admitted to any part of the programme; and the licence holder shall display in a conspicuous position at each entrance to the premises a notice in the following terms -

**PERSONS UNDER THE AGE OF [INSERT APPROPRIATE AGE] CANNOT BE ADMITTED TO ANY PART OF THE PROGRAMME**

Where films of different categories form part of the same programme, the notice shall refer to the oldest age restriction.

This condition does not apply to members of staff under the relevant age provided that the prior written consent of the person's parents or legal guardian has first been obtained,"

## **Theatres**

The admission of children to theatres, as with other licensed premises, is not normally expected to be restricted unless it is necessary to promote the licensing objective of the protection of children from harm. However, theatres may be the venue for a wide range of activities. The admission of children to the performance of a play will normally be left to the discretion of the licence holder and no condition restricting the access of children to plays should be attached. However, theatres may also present entertainment including, for example, variety shows, incorporating adult entertainment. A condition restricting the admission of children in such circumstances may be necessary. Entertainment may also be presented at theatres specifically for children (see below).

Consideration will be given to the imposition of conditions to premises licence requiring the presence of a sufficient number of adult staff on the premises to ensure the well being of children present on the premises during any emergency.

## **Performances especially for children**

Where performances are presented especially for children in theatres and cinemas conditions are anticipated to be needed which:

- Require that an attendant be stationed in the area(s) occupied by the children, in the vicinity of each exit, provided that on each level occupied by children the minimum number of attendants on duty should be one attendant per 50 children or part thereof.
- Specify whether or not standing will be allowed. For example, there may be reduced risk for children in the stalls than at other levels or areas in the building.

## **Children in performances**

There are many productions each year that are one-off shows where the cast is made up almost entirely of children. They may be taking part as individuals or as part of a drama club, stage school or school group. The age of those involved may range from 5 to 18. The Children (Performances) Regulations 1968 as amended set out requirements for children performing in a show. However, if it is necessary to consider imposing conditions for the promotion of the protection of children from harm then the Council will consider the matters outlined below:

- **Venue** - the backstage facilities should be large enough to accommodate safely the number of children taking part in any performance.

- **Fire safety** - all chaperones and production crew on the show should receive instruction on the fire procedures applicable to the venue prior to the arrival of the children.
- **Special effects** - it may be inappropriate to use certain special effects, including smoke, dry ice, rapid pulsating or flashing lights, which may trigger adverse reactions especially with regard to children.
- **Care of children** - theatres, concerts halls and similar places are places of work and may contain a lot of potentially dangerous equipment. It is therefore important that children performing at such premises are kept under adult supervision at all times including transfer from stage to dressing room and anywhere else on the premises. It is also important that the children can be accounted for at all times in case of an evacuation or emergency.

## GLOSSARY OF TERMS USED

**Note:** In this Policy, the following definitions are included to provide an explanation of certain terms included in the Act and therefore in the Policy. In some cases they are an abbreviation of what is stated in the Licensing Act 2003 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Licensing Act 2003.

<b>Club Premises Certificate</b>	A certificate granted under the Licensing Act 2003 for premises habitually used by a club which fulfils certain statutory criteria.
<b>Designated Premises Supervisor</b>	The person (who must be a Personal Licence holder), in the case of premises selling alcohol, who will normally have been given the day to day responsibility for running the premises by the holder of the Premises Licence The Premises Licence Holder can also be the Designated Premises Supervisor.
<b>Any Other Person</b>	The Act has removed the vicinity test, therefore any person may make a representation or apply for review.
<b>Late Night Refreshment</b>	the supply of hot food or hot drink to members of the public (whether for consumption on or off the premises) between the hours of 11.00 pm and 5.00 am.
<b>Licensable Activities</b>	<ul style="list-style-type: none"><li>• the sale by retail of alcohol</li><li>• the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club</li><li>• the provision of Regulated Entertainment</li><li>• the provision of Late Night Refreshment</li></ul>
<b>Licensed Premises</b>	includes club premises and events unless the context otherwise requires
<b>Operating Schedule</b>	a document containing a statement of the following matters (and any others that may be prescribed):- <ul style="list-style-type: none"><li>• the relevant Licensable Activities</li><li>• the times at which the Licensable Activities are to take place and any other times when premises are open to the public</li><li>• information regarding the person who will be specified in the Premises Licence as the Premises Supervisor</li><li>• where the Licensable Activities involve the supply of alcohol, whether it is for the supply on and/or off the premises</li><li>• steps being taken to promote the Licensing Objectives</li></ul>
<b>Personal Licence</b>	A licence granted to an individual authorising that individual to supply alcohol
<b>Premises Licence</b>	A licence granted under the Licensing Act allowing premises to be used for one or more Licensable Activities
<b>Relevant Representation</b>	Representations which are: <ul style="list-style-type: none"><li>(a) relevant to one or more of the licensing objectives; and</li><li>(b) made by any <u>person</u> within the appropriate period; and</li><li>(c) have not been withdrawn; and</li><li>(d) if they are made by any person (who is not also a responsible authority), are not, in the opinion of the Council frivolous, or</li></ul>

vexatious

The Council will determine whether representations are relevant or not.

**Responsible Authority**

These include any of the following:

- (a) The Chief Officer of Police
- (b) The Fire Authority (Hampshire Fire and Rescue)
- (c) The enforcing authority for health and safety at work (either the Health and Safety Executive or the City Council)
- (d) The local planning authority (the City Council or South Downs National Park Authority)
- (e) The local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health (the City Council (Environmental Health Section))
- (f) The Primary Care Trust or Health Board
- (g) The Licensing Authority
- (h) A body which:
  - (i) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm and
  - (ii) is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters  
(in Winchester's case, this will be the relevant Safeguarding Unit)
- (i) in relation to a vessel, a navigation authority, the Environment Agency, Maritime and Coastguard Agency or the British Waterways Board.

**Regulated Entertainment**

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling entertainment
- a performance of live music
- any playing of recorded music
- a performance of dance

(or entertainment of a similar description falling within the last three of the categories listed above), where the entertainment takes place in the presence of and for the purposes of entertaining that audience or spectators.

**Temporary Event Notice**

a temporary activity involving one or more Licensable Activities subject to the following various conditions and limitations:-

- duration – they are limited to events lasting for up to 168 hours;
- scale – not exceeding 499 people present at the event at any one time;
- use of the same premises – the same premises cannot be used on more than 12 occasions in a calendar year, but are subject to the overall aggregate of 21 days irrespective of the

- number of occasions on which they have been used; and the number of notices given by an individual within a given period of time – a Personal Licence holder is limited to 50 notices in one year and any other person to five notices in a similar period.

**In any other circumstances, a full Premises Licence or Club Premises Certificate will be required for the period of the event.**

## **Statement of Consultation**

This document was produced by Winchester City Council in accordance with its duties under the Licensing Act 2003.

Under Section 5 of the Act, the Council is required to determine its policy with respect to licensing functions and publish a statement of that policy. The statement must be published no later than 5 January 2019, must be kept under review and a new policy published every five years.

The draft policy was published on the Council's website on 27 June 2013, and the following were consulted on the proposed policy:-

- Chief Constable, Hampshire Police;
- Hampshire Fire and Rescue Authority;
- British Institute of Innkeeping;
- British Beer and Pub Association;
- Winchester Pubwatch;
- Winchester City Centre Partnership;
- The Community Safety Partnership;
- North Hampshire Chamber of Commerce and Industry;
- Portsmouth and South East Hampshire Chamber of Commerce and Industry;
- Residents Associations in the Winchester District;
- Parish and Town Councils in the Winchester District;
- Organisations who have specifically requested a copy of the draft policy

The policy was approved following adoption by full Council on 6 November 2013.

A review of the policy took place in January 2016 which was adopted by full Council on 13 April 2016.