

BEFORE THE WINCHESTER CITY COUNCIL LICENSING SUB COMMITTEE

BETWEEN

BROCKWOOD ENTERTAINMENT LIMITED.

-v-

KRISHNAMURTI FOUNDATION TRUST

WITNESS STATEMENT OF GARY PRIMROSE

Introduction

- 1) I am a Trustee and sit on the Board of Trustees of the Krishnamurti Foundation Trust (also referenced as "KFT" in this statement). The Krishnamurti Foundation Trust bought Brockwood Park in 1969 after an extensive search for a suitable site. It wanted to start an international, alternative boarding school in the English countryside in beautiful natural surroundings, now set within the South Downs National Park. I append as Exhibit 1 a number of photos of the buildings and surrounding areas that make up Brockwood Park.
- 2) The school that started the same year, is the first of four areas of activity occurring at Brockwood now that the Foundation is responsible for, and the school remains the only one of its kind in Europe. The Foundation's approach to education ensures that students have regular contact with nature, spending time working in gardens and on the grounds and in quiet reflection in peaceful surroundings. Teenagers are bombarded by the noise of modern life and the school endeavours to moderate that and keep it at arm's length.
- 3) In 1987, the Foundation completed construction of the Krishnamurti Centre on the grounds of Brockwood. It is a purpose-built international retreat and study centre with 20 ensuite guest rooms. The Centre appeared in King Charles' book 'A Vision for Britain', which championed traditional approaches to design and building. The Centre receives a constant stream of guests who can stay for up to two weeks, and who are there to retreat and study the work of the philosopher, educator, Jiddu Krishnamurti, in a tranquil and conducive setting. When not studying, guests often go for quiet walks on the estate or on some of the many public footpaths in the area. The Centre is also the only one of its kind in Europe and is open seven days a week, throughout the year, except for January.

- 4) The Festival under consideration has occurred twice before in the same location. In July 2021, our neighbours held an event in a field directly adjacent to the school which was described as a 'private party', however, around 500 people attended. The music began in the early evening and was loud up until around 11pm; after 11pm the event moved closer to the school and the volume, especially of bass frequencies, became appallingly loud. The walls of The Lodge (staff accommodation) were vibrating with the sound, and the windows of the school buildings rattled. This continued until 4am.

- 5) In 2022, the event was held over two days (9th and 10th July) and we understand a Premises licence was granted. It caused significant disruption due to the presence of around 600 people. There was a good deal of noise before 11pm, and the noise for the music and revellers was also clearly audible after that time. Trespassing onto the school site, littering, and traffic issues, occurred; the organisers have since apologised to us. There was no event in 2023, so the organisers could, in their words, 'sort out the issues' that occurred in previous years. I reference as Exhibit 2 – social media posts/complaints to organisers etc relating to 2022

- 6) While the school would obviously be closed in July, the operation of the Krishnamurti Centre will be severely impacted should the Festival go ahead. The purpose of the Centre as a place for quiet contemplative study is made impossible by the arrival of a music festival at our backdoor. Why a licence should be sought for an event that does nothing to conserve and enhance the natural beauty, wildlife and cultural heritage of the Park is not clear to any of us.

- 7) I remain very concerned by this application. I was a Head Gardener at Brockwood for over 15 years, thus I have a keen understanding of and concern for wildlife within the South Downs National Park and specifically at Brockwood itself

- 8) **History:**
Brockwood Park estate maps show the parkland began with the Greenwoods in the mid 1800's. It was improved with extensive planting by Lord and Lady Royden in the 1930's to 1950's. Replacement planting was by the present owners the Mortons and KFT after the storms of the 1980's and 90's

- 9) **Landscape:**
The parkland at Brockwood is an important landscape feature in the area and has been recognised by Parks and Gardens UK, Historic England, and Hampshire Gardens Trust <https://www.parksandgardens.org/places/brockwoodpark> and <https://historicengland.org.uk/listing/the-list/listentry/1350848> and <http://research.hgt.org.uk/item/brockwood-park-school/>. We also currently have trees registered in the Ancient Tree Registry. The parkland is also designated by Natural England as a Biodiversity Action Plan ("BAP") Priority Habitat.

- 10) **Ecology:**
Parkland is a mosaic habitat with trees having a large canopy and old trees having abundant wood decay which are important for rare fungal species, invertebrates, bryophytes and bats, many of which are red data species. Parkland is an edge habitat which is important for many birds and butterflies requiring the combination of refuge and open areas. Parkland trees are dependent on mycorrhizal fungi in the soil for nutrient transfer and their fungal hyphae will be damaged by compaction. Repeated stress to parkland soils from compaction, drought or water logging will make trees and especially ancient trees much more susceptible to pests and diseases.

11) Disruption to wildlife:

Parkland areas often host diverse wildlife and large events can disrupt their habitats, causing stress and potentially leading to long-term negative impacts on local ecosystems. One specific example of this for this proposed festival is the negative impact it could have on Barbastelle Bats; there are very few breeding sites but we believe there is one at Hinton Ampner. We also recorded them in the grove in the autumn of 2019 so it seems they are feeding along the ridge between Hinton Ampner and our site. This proposed festival in the summer would clearly negatively impact this nationally scarce species. There is also Firecrest breeding on site (we have seen a couple of them in the last month and have taken photos in these couple of occasions). Firecrest is a Schedule 1 bird and it is a criminal offence to intentionally or recklessly disturb [adult birds or young] at, on or near an active nest.

12) Continuity:

There is a further concern of yearly festivals in the parkland. Old and dying parkland trees, a nationally rare habitat, will not be allowed to remain and slowly decay because of health and safety concerns of the festival organisers.

13) I enclose some of the social media posts associated with the current application (Exhibit 3) These paint a very different picture to the proposed suite of licence conditions being offered and give an indication of how this Festival is being promoted and will be managed. It has been very concerning that the organisers started selling tickets for this event before the licence is even considered by the Licensing Sub Committee let alone granted. This is a testament to the lack of expertise and experience required in organising such an event; it also shows a complete lack of regard to all relevant stakeholders

14) One concern for us is the fact that the organisers have no control, not only over who will be buying the tickets but also how the third-party promoters will be promoting to sell the tickets of the events. I enclose one example of this (contained within Exhibit 3) showing that the paid promoter list.co.uk is promoting the event and as you can see in the enclosed under the location/where, it says Brockwood Park School. This is quite misleading for the charity's stakeholders such as parents, alumni and donors. This just goes to show that the organisers have no regard to the risks examples such as this imposes on our charity and that the applicants are not at all aware of the great consequences of the event such as this and their disregard for their neighbours, nature and wildlife, and impacted parties such as our charity.

15) We have had cause to instruct solicitors to write to the landowners concerning the proposed use of the land contrary to the restrictive covenant entered into when the land was sold (Exhibit 4). This expressly prohibits the land from being used for any purpose other than farming. Approximately one third of the proposed licensed area falls squarely within the restrictive covenanted land (Exhibit 4). Furthermore, we have also had to point out to the landowner that the proposed use of the main stage in Godwin's Copse, is subject to a further restrictive covenant in favour of the Forestry Commission, which limits the land for the use of the growing of timber (Exhibit 5). Godwin's Copse is also designated as a Higher Tier in Countryside Stewardship – meaning it needs complex management, such as creating or restoring habits and improving woodland. It is thus dismaying that the applicant is suggesting that this location is suitable for a main stage.

Summary of evidence from others

16) In order to save time at the hearing, I am summarising the evidence of a number of other residents of Brockwood Park who have made representations and would otherwise wish to speak. I can confirm that all of those listed below have had sight of this witness statement and agree that the content of their evidence is "correct."

17) Bill and Leila Taylor

They have been resident at the Lodge at Brockwood Park for over 30 years. Bill has worked for the KFT throughout that time, as did Leila for some years. Leila now has advanced MS and is severely disabled. They were at home for both of the previous events, and the following is a statement written by Bill:

"Due to my wife's disability, she is sensitive to noise and to changes in her surroundings. The Lodge is in a beautiful setting and we greatly value the tranquillity of the parkland and woods that surround it. The first music event, occurring in the field directly opposite was extremely disruptive. The music went to around 4.00am and the bass frequencies made it sound and feel as though someone was outside our bedroom repeatedly striking the wall with a sledge hammer. We complained to the neighbours about this and the second event was less disruptive, as the speakers had been repositioned and steps taken to reduce noise. Our concern now is that the licence application is for a bigger, longer festival to be held on an annual basis, directly next to our home and we do not accept that the full impact of this event is understood or appreciated by the organisers."

18) Thomas Lehmann

Thomas has been working and living here since 2016. Thomas I= was present for both previous events in 2021 and 2022 and witnessed the nuisance both events caused for the local community, particularly in terms of noise and potential disorder and crime caused by intoxicated individuals.

"In 2021 there was a smaller "private" event organised on Saturday 24th July during which I was at the Krishnamurti Centre (further away from the event). It was extremely loud and made regular sleep impossible. It presented an upsetting level of disturbance to myself and the other guests at the retreat Centre who came to the place to spend time quietly and enjoy the beautiful surroundings and the peacefulness of the countryside. I was not at the school that time so cannot say anything about the level of disturbance at the school even though some of my colleagues reported very high levels of noise and the rattling of the windows at the main house.

I was at the school and in my flat during the event of 2022 which was organised as an official festival on 9th and 10th July. I witnessed the disturbances caused by the preparations and the actual festival which brought more than 600 people to the site. Again, the noise made it impossible to enjoy oneself during the day and to sleep at night. What we considered insufficient security measures caused considerable concern and anxiety at the school as ours is an open site (with low levels of protection and supervision during summer) directly adjacent to the field where the festival happened and it seemed easily possible for curious or intoxicated festival goers to walk up our drive and wander around our property.

The next day we did indeed find some signs of trespassing that had happened onto our site. Apart from these issues the level of noise was simply very disturbing and not appropriate for the location, a beautiful national park with rare and sensitive wildlife that many people visit to enjoy the quietude and the beauty of the landscape. At the time, we considered this festival a one-off event

and did not understand the full implications but it became clear that running events such as these (festivals that come with a particular type of intrusive loud music and alcohol sales until the early morning, as well as other "unofficial" substances) here leads to considerable levels of public nuisance and potential for disorder."

19) **Charley Lee**

Charley has been living and working here since 2022

"In 2022, I was working at the school as a staff member at the Centre. I spent my evenings on the Brockwood Park School Site. Throughout the duration of the festival loud music was heard around the entire site, significantly disrupting the atmosphere at our Retreat Centre. Guests reported the noise and often shared they could hear it at night (whilst they were supposed to be sleeping). I also was disturbed by the noise as well as having to be alert to trespassers of an evening. This had a huge impact on me as I would work long shifts at the Centre and struggled to rest in my home."

20) **Charline Sowa**

Charline has been living and working here since 2017. Charline was not present in 2021 but was in 2022

"In 2022 I was disturbed throughout the night by the noise and music at the festival. I experienced significant worry as there were reports of people trespassing on the school site which lead to us having to be alert to intruders. I struggled to sleep on the evening of the festival due to the excessive noise."

21) **Lorena Magallanes**

Lorena has been living and working here since 2019:

"My flat is usually quiet and isolated from outside noise; this tranquillity and quietness is one of the reasons makes living at Brockood so special. When the event was held in 2021, the music was unbearably loud until very late in the morning and I could hear it from my flat. I remember they also had fireworks around midnight which disturbed my sleep. I could also hear birds flying off the trees because they were scared by the noise of the fireworks. In 2022, the music was as loud as the year before and unbearable. I also remember walking down the road the days after the festival and there was litter spread all over the lawns, which took a couple of days to be cleaned completely."

22) **Emma Birt**

Emma has been living and working here since 2018:

"I live in flat WW5 in Brockwood Park School. My kitchen window overlooks the proposed festival site. During the time of the smaller festival/party in 2021, the impact of the sound from the music was so strong that my windows were rattling with each beat. The noise during the day was horrible and very disturbing. I can remember having to leave my home, to get some peace. During the evening and at night it became unbearable; I tried, unsuccessfully, to block out the noise with ear plugs, but I couldn't sleep. In the end, I think the music stopped at around 3 am."

23) **Alexandro Lopez**

Alexandro has been living and working here since 2020:

“When the event was held in 2021, during the night I could hear the music while I was in my room. I was woken up many times. I was also quite worried for the wildlife. In 2022, knowing that it was going to be a bigger event, I was already worried that people from the festival could enter Brockwood Park School property and the noise levels. I could hear the music from my room. I couldn't sleep properly. The next day of the event I went for a walk and there was some rubbish on the surroundings”.

24) **Robert Beddow**

Robert has been living and working here since 2018:

“In 2021, I was living at Dell cottages yet could hear the 'music' playing loudly even with windows closed. My work is in a management role so unlike teachers I need to work in the school holidays. The lack of sleep and security issues were very distressing. In 2022, I was living in the school buildings much closer to the festival. It was very hard to get any sleep or rest with the loud noise and we also had security/trespass issues which caused distress and operational problems. I had assurances from the organiser that the noise levels would be managed but it was much louder than we had been led to expect.”

25) **Conclusion**

We are very concerned by this application for a premises licence for a “Dance Music Festival.” It is our view and which is sadly supported from first hand experience, that the applicant company and those associated with it, are incapable of operating this Festival in such a way that it would avoid impacting significantly on its surrounds in which it is proposed to be held. We are dismayed that the applicant believes that it is still appropriate to locate this event in such a sensitive location, despite the warning signs from previous years. This application does very little to address this and has either been made in ignorance of very clear Policy objectives regarding use of National Parkland and is entirely oblivious to the prohibition on use imposed by the restrictive covenants. The applicant has failed to promote the licensing objectives on the two previous occasions when this Festival was held. It has not sufficiently addressed the issues that will arise once again if this licence is granted, but it has also failed to address at all the “fifth” Licensing Objective which the Licensing Authority is duty bound to promote - *“Conserve and enhance the natural beauty, wildlife and cultural heritage of the Park”*

Statement Truth

I believe that the facts stated in this Witness Statement are true.

Signed:



Name: Gary Primrose

Dated this 5th day of April 2024