

## Representations – Other Persons

Sue Herdman

Received 21 October 2024

I would like to comment on the review of this licence. I am a resident of Cheriton, a village which is directly affected by the impact of the event.

My address is 3 Raebarn Close, SO24 0QE.

I support the actions of Hampshire Constabulary in requesting the review of a licence.

I have personally never attended the festival but the people who I have spoken to who have, have been shocked at the blatant use of drugs in plain sight of other festival goers. It seems strange that the law is not followed or enforced just because the event is taking place in the countryside and not within a permanent building.

I would also like to make a representation about the Prevention of Public Nuisance. The amplified music noise from Boomtown travels for miles in all directions. It is unreasonable to allow music to continue until 4am in the morning just because the event is held in the countryside. This would never be allowed in an urban area and it is unreasonable to expect rural residents to put up with it. It is very difficult for the event organisers to control how far the sound travels as prevailing weather makes such a difference. The noise is audible within people's houses through closed double-glazed windows. The only way to guarantee that sound won't be audible in people's homes is if it has been turned off. My understanding is that comparable events such as Glastonbury do not allow music to be played after midnight. If the licence is agreed the noise conditions must reflect those that would be agreed for an open air concert in an urban area. I think this would be a reasonable balance between the commercial requirements of the organisers and the rights of local residents to be able to enjoy the tranquillity of living in a National Park.

Sue Herdman

Michael J Beer

Received 22 October 2024

Dear Sir,

I write this letter to confirm that I support the actions of Hampshire Constabulary in requesting the review of a licence which was granted over 5 years ago since when several things have changed.

**Firstly, Boomtown's temporary planning permission has expired** and the final event took place in August which means that the Council's Licensing Policy is not being complied with as **current planning permission does not exist.**

Secondly, the 1949 law regarding National Parks was amended in December 2023. Licensing authorities are now required by law to seek to further the Purposes of National Parks and to **give priority to Purpose 1 over Purpose 2 when there is a conflict**, as in this situation. When the Director of Planning of the South Downs National Park Authority submitted his committee report to the SDNP Planning **Committee in December 2022 concerning Boomtown's planning application which sought continuing planning permission, SDNP/21/00290/FUL, he recommended refusal.** One of his main reasons for recommending refusal was that the music festival did not comply with **Purpose 1 of the National Park as he said that it does not conserve and enhance the natural beauty and wildlife of the area and this is a matter of public record. Nothing has changed since December 2022 and his reasons must still be valid.**

**For these two reasons I request that the premises licence is revoked.** If Boomtown are successful in obtaining new planning permission from SDNPA, the company could then seek a new premises licence from WCC.

I would also like to make a representation about another of the Licensing Objectives – the Prevention of Public Nuisance. **The amplified music noise from Boomtown travels for miles in all directions. On Wednesdays it is supposed to be inaudible. On Thursdays and Sundays it is supposed to finish at midnight. On Fridays and Saturdays it is allowed to continue until 4.00 am the next morning which I think is unreasonable as it causes nuisance to local residents, including myself when I am indoors trying to sleep. If the licence is not revoked, please can it be amended so that amplified music is not allowed after 11.00 pm or, at worst, midnight on all nights? I think this would be a reasonable balance between the commercial requirements of the organisers and the rights of local residents to be able to enjoy the tranquillity of living in a National Park**

In addition, **further examples of public nuisance include strobe lighting, lasers, gap closures on the A31, and noise from diesel generators.** These public nuisance issues should also be addressed with a view to termination.

Michael j Beer  
1 Hockley Cottages  
Cheriton  
Hampshire  
SO24 0NU

Additional comments provided 24 October 2024:

I do not consider that the Boomtown music festival does not promote the Prevention of Public Nuisance, which is one of the four licensing objectives? In particular, the low frequency bass noise travels miles from its source and it causes me and my wife considerable nuisance as it continues until 4.00 am on two nights and until midnight on two other nights. Living in a part of the South Downs National Park which enjoys very low ambient noise levels during the night at all other times of the year this is extremely annoying and I would like to request that, if the licence is allowed to continue, it should be amended such that amplified music ceases at either 11.00 pm or midnight on all nights.

Yours faithfully,

Michael j Beer  
1 Hockley Cottages  
Cheriton  
Alresford  
Hampshire  
SO24 0NU

Clare Cholerton on behalf of Cheriton Parish Council  
Received 22 October 2024

c/o Manor Cottage,  
Beauworth  
Alresford  
Hampshire  
SO24 0NZ

22<sup>nd</sup> October 2024

To whom it may concern,

Cheriton Parish Council wishes to express support for the application made by Hampshire Constabulary for a review of the premises licence held by Boomtown Fair Ltd.. The suggested new conditions are considered to be sensible and an improvement in terms of furthering the licensing objectives for the Prevention of Crime and Disorder and for Public Safety.

While it is realised that the police application relates to these two licensing objectives, the parish council wishes to take this opportunity to make a representation on the grounds of another licensing objective, the Prevention of Public Nuisance. More importantly, we also would like respectfully to draw to the attention of the Licensing Sub-committee other relevant factors - that the existing licence does not now comply with Winchester City Council's adopted Licensing Policy nor with the National Parks and Access to the Countryside Act 1949 (as amended by Section 245 of the Levelling-Up and Regeneration Act 2023).

This Review enables the Sub-committee to take into account its revised Licensing Policy (adopted in February 2024) and the relevant other legislation (amended in December 2023), both of which have been amended since the existing premises licence was granted in 2019.

Dealing firstly with the Licensing Policy, paragraph 1.4 states "applicants for premises licences should ensure that there is appropriate current Planning Permission for the hours and activities for which application is being made."

The parish council wishes to point out that there is now no appropriate current planning permission to hold another Boomtown music festival on the existing site. The reason is that temporary planning permission was granted by the South Downs National Park Authority (SDNPA) in December

2019 under planning reference SDNP/18/06249/FUL for a period of 5 years and this expires at the end of December. Therefore, year 2024 has been the final year of temporary planning permission. Condition 2 attached to the temporary permission stated that “one major music festival..... shall only take place between 1 May and 15 October in any calendar year.” The one festival permitted for this final year took place in August 2024 and, therefore, no further festivals can take place because the planning permission has lapsed. Accordingly, the parish council respectfully requests that the Sub-committee either revokes the existing premises licence or suspends it because appropriate current planning permission does not exist and this is non-compliant with the Licensing Policy.

Boomtown Fair Ltd. has made no secret of their intention to submit a new planning application to the Local Planning Authority (SDNPA). They have made clear that this would be for a further period of three years’ temporary permission. A request for an EIA Scoping Opinion was submitted to SDNPA in May 2024 under the planning reference SDNP/24/02263/SCOPE. SDNPA published its Scoping Opinion in July 2024. Even if this new application is submitted, considered and approved, the new planning permission would be for a period of three years only. If the existing premises licence is revoked an application for a new premises licence for a period of three years could be made to the City Council but, if the existing licence is suspended, an application could be made for its renewal for a period of three years to match the new temporary planning permission.

However, if the Sub-committee finds reasons not to revoke or suspend the licence on this basis, the parish council requests that it takes this opportunity (the first since 2019) to curtail the level of disturbance to achieve the licensing objective of the Prevention of Public Nuisance. Noise nuisance has been caused to residents in our parish during Boomtown music festivals for several years by amplified live and recorded music. This is allowed by the current premises licence to take place until midnight on Thursday and Sunday but, worse, it is allowed until 4.00 am on Friday night/Saturday morning and on Saturday night/Sunday morning. Residents in their own homes with all windows closed and the benefit of double glazing have been prevented from getting to sleep or have even been woken up

during the night, particularly by low frequency bass noise which travels for miles.

Our parish is in the South Downs National Park and one of the special qualities of the National Park is “relative tranquillity”. The adopted South Downs Local Plan contains on Page 54 a Tranquillity Scores Map for the whole Park. This shows clearly that Cheriton and other villages which surround the festival site are scored as intermediate or high tranquillity. The Parish Council has evidence of actual noise measurements before and during this August’s music festival because we engaged the services of a reputable acoustics consultancy, Sustainable Acoustics of Lower Upham, to undertake noise monitoring in two positions within the parish (one was just a few yards from Noise Monitoring Position MP6). The recorded ambient noise level during the night-time hours after 11 pm prior to the festival starting was as low as 18 decibels. The consultancy has advised us that the sound measurement scale is logarithmic and not linear so a music noise level of just 10 decibels above the ambient, i.e. 28 decibels, would be twice the perceived loudness and 20 decibels above the ambient, i.e. 38 decibels, would be four times the perceived loudness. However, after 11 pm the licence allows a music noise level of 45 decibels which we consider is too high. Therefore, if you decide not to revoke or suspend the existing licence, the parish council requests that you should enable your fellow residents within Winchester District who reside in the South Downs National Park to be able to enjoy a decent night’s sleep. You can do this in a simple, easily understood way by amending the licence relating to live and recorded music. We respectfully request that you amend the terminal hour to be midnight on Friday and Saturday nights during the festival.

These are the requested amendments to the licence:

**PREM773 Part 1- Premises Details 1b) (iii) Change ‘0400’ to ‘0000’ delete ‘the next day’**

**Conditions**

**PN10 3<sup>rd</sup> line Change ‘0400’ to ‘0000’**

**PN11 (b) 3<sup>rd</sup> line Change ‘0400’ to ‘0000’ delete ‘the next day’**

Finally, the parish council would like you to consider the most important matter of other legislation. The National Parks and Access to the

Countryside Act 1949 was amended as recently as last December by Section 245 of the Levelling-up and Regeneration Act 2023 and reference to this is in the Council's Licensing Policy. This recent amendment strengthened the duty of relevant authorities which, prior to last December, only had to have regard to the statutory purposes of a National Park. The Council, being a relevant authority because it is a licensing authority, is now required in law to seek to further the South Downs National Park purposes and to ensure they are respected and this is stated in paragraph 1.7 of your Licensing Policy.

Paragraph 1.5 of your Policy contains the purposes and duty of the South Downs National Park, thus:

The purposes 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'.
- The South Downs National Park Authority also has a 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.**

Allowing a major music festival to take place in the National Park would be an example of Purpose 2 but the parish council asserts that it does not comply with Purpose 1 because it is considered that the music festival does not conserve and enhance the natural beauty, wildlife and cultural heritage of the area. However, we do not ask you to accept just our assertion about this but we draw to your attention the fact that no less an authority than the Director of Planning for the South Downs National Park Authority has arrived at the same conclusion and this is a matter of public record.

Boomtown Fair Ltd. submitted a planning application on 18th January 2021 seeking permanent permission to replace the extant temporary permission and to increase the attendance limit by 11,000 persons to bring the planning

permission into line with the premises licence which the Council granted in 2019, i.e. to raise the limit from 64,999 to 75,999. SDNPA had this application under consideration for a very, very long time. In fact it was not until the beginning of December 2022, over 22 months after they received the application, that it was included in the agenda for their Planning Committee meeting being held on 8th December 2022. The Committee Report by Mr. Tim Slaney, Director of Planning, recommended the committee to refuse the application. This Committee Report is available to view on the SDNPA Planning Public Access System under reference SDNP/21/00290/FUL.

Mr Slaney gave three reasons in paragraph 9 of his report why he recommended refusal. The first two reasons are:

**1. It has not been demonstrated, in the absence of sufficient ecological evidence, gathered over a meaningful period covering a number of festivals, that the proposal would not have an adverse impact on the ecological, landscape or biodiversity interests of the Park. It is not therefore considered that the proposals would conserve or enhance the natural beauty and wildlife of the National Park and the proposals would therefore not comply with Policies SD1, SD2, SD4, SD9, SD11 and SD25 of the Adopted South Downs Local Plan (2014-2033), the Purposes of the Park and the NPPF.**

**2. It has not been demonstrated (on the basis that the proposals are considered major development for the purposes of Paragraphs 177 of the NPPF) that the proposals are in the public interest or that there are exceptional circumstances, given that evidence concerning any potential adverse effect on the environment and landscape have not been forthcoming with appropriate evidence over a meaningful period. The proposals would therefore not comply with Policy SD3 of the Adopted South Downs Local Plan (2014-2033), the Purposes of the Park and Paragraph 177 of the NPPF.**

We can pay less attention to reason number 3 which relates to the absence of a Section 106 agreement about waste water but should take heed of what Mr Slaney said in the first two reasons. He concluded that it is not considered that the natural beauty and wildlife of the National Park would



be conserved or enhanced and that the music festival does not comply with the Purposes of the Park.

A few days after Mr Slaney's Committee Report was published on the SDNPA website, the applicants withdrew the application, possibly because they did not want to risk the Planning Committee refusing it. The case was then removed from the committee's agenda and no determination was made.

The amendments to the 1949 Act last December now require you to ensure that the National Park purposes are respected. As you are aware, Purpose 1 must have priority over Purpose 2. The parish council considers that this provides a second important reason why you should revoke or suspend the existing licence.

Therefore, in conclusion Cheriton Parish Council is firmly of the opinion that both the law and your Licensing Policy require you to either revoke or suspend the existing premises licence.

However, if you are able to provide sound reasons for not doing so, we request that, in addition to considering the amendments to the conditions which have been requested by the police, you accept our request to change the terminal hour for live and recorded music on Friday and Saturday to 0000.

Yours faithfully

REDACTED

Clare Cholerton

Cheriton Parish Clerk

On behalf of Cheriton Parish Council

Elizabeth Anne Newson (Mrs)  
Received 23 October 2024

Dear Ms Stefanczuk,

**Review of Boomtown Premises Licence: PREM773**

I support the actions of Hampshire Constabulary in requesting the review of a licence which was granted over five years ago.

I wish to make the following points regarding the Prevention of Public Nuisance:

- residents are bothered by the continuous deep thud of the bass music until 4 a.m. on two nights of the Festival; this is totally unacceptable. I live approximately six miles from the site and I can hear the thudding of the music quite distinctly. Base line readings of this blessedly peaceful environment, particularly night time readings, should be taken professionally with microphones positioned at the correct height and away from undulating land that may give a false reading.
- The level of sound at nighttime in this area is very, very low; almost silent. To then have deep base music thudding until the early hours is an absolute desecration of the tranquillity of the SDNP and constitutes a public nuisance.

Licensing authorities are now required by law to seek to further the Purposes of National Parks and to give priority to Purpose 1 over Purpose 2 when there is a conflict, as in this situation. It cannot be honestly argued that Boomtown does not pose a public nuisance and does not affect the tranquillity of the surrounding (for many miles) area: of course it does. On these grounds alone, the licence should not be renewed.

Yours faithfully,

Elizabeth Anne Newson (Mrs).

Fir Tree Cottage

Bramdean

SO24 0JW

David Pain

Received (revised version) 28 October 2024

Dear Sir/Madam,

I wish to make a representation about this premises licence which has been called in for review by Hampshire Constabulary.

The Boomtown music festival has had a reputation for several years of being 'soft' on unlawful drugs and the recent fatality of a 22 year old man is but the most recent as there have been several others in preceding years to which reference was made by the Police in their application for review. A friend of mine obtained one of the Sunday tickets for local residents and attended the 2023 event. He was no sooner through the entrance than he was being offered drugs by someone with a staff and crew wristband. He wondered if the would-be seller had arrived in a caravan or campervan during the set-up phase before sniffer dogs appeared. There have also been rumours of drugs being buried underground on the site before the 11 feet high security fence is erected for several miles around the site. Therefore, I agree with the police that the licence holders have not been promoting the licensing objectives of the Prevention of Crime and Disorder and Public Safety.

I support my Parish Council's representation which provided excellent reasons why this licence should be revoked as both the legislation and the Licensing Policy have been amended since PREM773 was granted in 2019. In addition, since then, the South Downs National Park Authority has adopted its Local Plan which includes a Strategic Policy SD7: Relative Tranquillity. I live in an area of intermediate to high tranquillity according to the Tranquillity Scores Map in this Local Plan and the ambient noise level at bedroom height at the rear of my house has been professionally measured recently at 18dB after 11.00 pm at night.

Therefore, it is particularly quiet after 11.00 pm where I live – in fact, almost silent apart from the occasional hooting by owls and the chiming of the church clock. However, during the Boomtown festival the music noise is supposed to be inaudible on the Wednesday, continues until midnight on the Thursday and Sunday, and continues until 4.00 am on the Friday and Saturday nights. This causes nuisance to me as, even with my double-glazed bedroom windows shut, I am either prevented from getting to sleep or even awoken during the night particularly by the low-frequency bass noise. I do not consider that the noise should be permitted to continue so late at night. One of my grand-daughters attended the Glastonbury Festival this year and the main stages closed at midnight in deference to local residents and that location is not even in a National Park! I can see no reason why residents in the rural parts of Winchester District should be expected to suffer noise nuisance so late at night as this undermines the

Licensing Objective "Prevention of Public Nuisance". If the licence is allowed to continue I request that the noise conditions are amended so that amplified live and recorded music ceases at either 11.00 pm or midnight on **all nights**.

Yours faithfully,

Mr D A Pain  
Godwins Cottage  
Cheriton  
Alresford  
SO24 0PY

David Templeman  
Received 24 October 2024

Dear Sir / Madam,

As you can see I live in the South Downs National Park adjacent to the A272 at Hinton Ampner, which as you will know is directly down the valley from Cheesefoot Head, the site where the Boomtown Music Festival has been taking place in more recent years. My wife and I have lived at Turnpike Cottage for just over 25 years, so well remember the situation before Boomtown and how Boomtown has evolved, at first considerate to residents and now NOT. It is well past time for redress.

I have enjoyed the dark skies, peace and tranquillity of our National Park and its unique flora and fauna with its very low ambient noise levels during those dark night except when noisy events are held at Cheesefoot Head. The Boomtown music festival in particular is one such event which does not promote the Prevention of Public Nuisance: one of the four licensing objectives. Take the low frequency bass noise which travels miles from its source and causes both me and my wife considerable nuisance as it continues until 4.00 am on two nights and until midnight on two other nights. The current situation is both intolerable and very annoying and I most urgently urge that, if the licence is allowed to continue, it should be amended such that amplified music ceases at either 11.00 pm or midnight on all nights. It must be continuously measured and recorded in my direct vicinity as well as nearby in Bramdean by calibrated instruments, by qualified independent experts who determine an agreed baseline and whose resources and expenses are fully funded by Boomtown.

Best wishes,

David Templeman,  
Turnpike Cottage  
Hinton Ampner  
SO24 0JT

Tel. [REDACTED]

John Silvester  
Received 24 October 2024

From: John Silvester  
Green Pastures, Alresford Road, Winchester SO21 1HL

Re: **Review of PREM773**, Boomtown's premises licence.

Hampshire Constabulary have requested a review of the above licence, and I wish to state that I fully support this request. However, the request is slightly odd since Boomtown's temporary planning permission has now expired. I suppose that nevertheless if Boomtown are successful in obtaining new planning permission from SDNPA, the company could then seek a new premises licence from WCC.

The 1949 law regarding National Parks was amended in December 2023. Licensing authorities are now required by law to seek to further the Purposes of National Parks and to give priority to Purpose 1 over Purpose 2 when there is a conflict, as in this situation. When the Director of Planning of the South Downs National Park Authority submitted his committee report to the SDNP Planning Committee in December 2022 concerning Boomtown's planning application, which sought continuing planning permission, SDNP/21/00290/FUL, he recommended refusal. One of his main reasons for recommending refusal was that the music festival did not comply with Purpose 1 of the National Park as he said that it does not conserve and enhance the natural beauty and wildlife of the area and this is a matter of public record. Nothing has changed since December 2022. For this reason I request that the premises licence be revoked.

I would also like to make several representations about another of the Licensing Objectives, namely the Prevention of Public Nuisance.

Firstly, noise. A National Park is supposed to be a place of peace and tranquillity. On the Wednesday the amplified music is supposed to be inaudible at the perimeter of the site, but isn't. On the Thursday and Sunday it is supposed to stop at midnight but on the Friday and Saturday it is allowed to go on until 4 am. This is wholly unreasonable and a nuisance to local residents, as it prevents sleep, even with all windows closed, not ideal on a hot summer night. If the licence is not revoked, I request that it be amended so that amplified music ceases at 11 pm on all nights. Since it starts at 10 am this still allows 13 hours of music each day, which ought to be enough to satisfy the Boomtown customers.

Secondly, lighting and diesel generators. The National Park is supposed to be a place of dark skies. The car parks are floodlit all night, with diesel generators running, which is a nuisance as it inhibits sleep even after the music has stopped. If the licence is not revoked, please could it require that floodlights are not pointed at nearby houses, that they be run from batteries not generators, and that they are not switched on before the start of the festival or after it finishes.

Thirdly, traffic and gap closures. The amount of traffic generated by Boomtown is more than the local network of roads can bear without causing serious nuisance and delay to local residents trying to go about their normal business. For this reason I request that, should the licence not be revoked, then the number of people allowed to attend Boomtown certainly not be increased, and preferably be reduced. An additional nuisance is the gap closures on the A31, which mean that local journey times and distances are significantly increased. I understand the necessity of these closures on the days when people are arriving or leaving the site, namely the Wednesday, Thursday and Monday, but if the licence is not revoked, please could it require the gaps to be opened on the Friday, Saturday and Sunday.

However, I very much hope that the licence will be revoked.

John Silvester

Graham Tarbuck  
Received 25 October 2024

Dear Sirs

Noise from the Boomtown Music Festival is without doubt causing an annual public nuisance specifically on the two nights it continues after 11pm and even worse on the two nights it transmits until 4.00am. The bass noises are totally at odds with the proclaimed aspect of "Tranquillity" within the National Park which is given much prominence in SDNP literature and there appears a reluctance for anyone to take action - Licensing, SDNP, or Boomtown in the "prevention or Public nuisance" . The prevention of public nuisance is a corner-stone of Licensing and an ongoing cause for concern for National Park residents.

Yours Sincerely

Graham Tarbuck

Orchard View, Kilmeston Road. Cheriton SO24 0NJ



Simon Scott  
Received 25 October 2024

Dear Sirs

I support the actions of Hampshire Constabulary in requesting the review of a licence which was granted over 5 years ago, as several things have changed.

First, Boomtown's temporary planning permission has expired and the final event took place in August which means that the Council's Licensing Policy is not being complied with as current planning permission does not exist.

Secondly, the 1949 law regarding National Parks was amended in December 2023. Licensing authorities are now required by law to seek to further the Purposes of National Parks and to give priority to Purpose 1 over Purpose 2 when there is a conflict, as in this situation. When the Director of Planning of the South Downs National Park Authority submitted his committee report to the SDNP Planning Committee in December 2022 concerning Boomtown's planning application which sought continuing planning permission, SDNP/21/00290/FUL, he recommended refusal. One of his main reasons for recommending refusal was that the music festival did not comply with Purpose 1 of the National Park as he said that it does not conserve and enhance the natural beauty and wildlife of the area and this is a matter of public record. Nothing has changed since December 2022 and his reasons must still be valid.

For these two reasons I request that the premises licence is revoked. If Boomtown is successful in obtaining new planning permission from SDNPA, the company could then seek a new premises licence from WCC.

I would also like to make a representation about another of the Licensing Objectives – the Prevention of Public Nuisance. The amplified music noise from Boomtown travels for miles in all directions. On Wednesdays it is supposed to be inaudible. On Thursdays and Sundays it is supposed to finish at midnight. On Fridays and Saturdays it is allowed to continue until 4.00 am the next morning which I think is unreasonable as it causes nuisance to local residents. If the licence is not revoked, please can it be amended so that amplified music is not allowed after midnight on all nights? I think this would be a reasonable balance between the commercial requirements of the organisers and the rights of local residents to be able to enjoy the tranquillity of living in a National Park.

Yours faithfully  
Simon Scott  
Burnt platt  
Cheriton Hampshire  
SO24 0PY

Martyn and Rosslyn Curwen-Bryant  
Received 25 October 2024

From:

Martyn and Rosslyn Curwen-Bryant  
4 Hockley Cottages  
Cheriton  
SO24 0NU

Dear Sirs

We are writing to register our support to Hampshire Constabulary's action in requesting the review of a licence which was granted over 5 years ago. Since then a number of changes have occurred.

1. Boomtown's temporary planning permission has expired with the final event taking place in August 2024. We understand this means that the Council's Licensing Policy is not being complied with as current planning permission does not exist.

2. The National Parks and Access to the Countryside Act 1949 regarding National Parks was amended in December 2023. We understand licensing authorities are now required by law to seek to further the Purposes of National Parks and to give priority to Purpose 1 over Purpose 2 when there is a conflict, as in this situation. When the Director of Planning of the South Downs National Park Authority submitted his committee report to the SDNP Planning Committee in December 2022 concerning Boomtown's planning application (SDNP/21/00290/FUL) which was seeking continuing planning permission, he recommended refusal. One of the main reasons for recommending refusal was that the music festival did not comply with Purpose 1 of the Act as it does not conserve and enhance the natural beauty and wildlife of the area and this is a matter of public record. As nothing has changed since December 2022, his reasons must remain valid.

For these two reasons we request that the premises licence be revoked. If Boomtown is successful in obtaining new planning permission from SDNPA, the company could then seek a new premises licence from WCC.

We would also like to make a representation about another of the Licensing Objectives – the Prevention of Public Nuisance. The amplified music noise from Boomtown travels for miles in all directions. On Wednesdays it is supposed to be inaudible. On Thursdays and Sundays it is supposed to finish at midnight. On Fridays and Saturdays it is allowed to continue until 4.00 am the next morning which we consider unreasonable as it causes nuisance to local residents, including ourselves. Even Glastonbury, a global event, closes its main stages at midnight. Our property is one of the closest to the festival site. If the licence is not

revoked, please can it be amended so that amplified live and recorded music is not permitted after 11.00 pm or, at worst, midnight on all nights? We consider this to offer a reasonable balance between the commercial requirements of the organisers and the rights of local residents to be able to enjoy the tranquillity of the South Downs National Park which rights, at present, appear to have been subordinated to those of Boomtown.

Yours faithfully

Martyn and Rosslyn Curwen-Bryant

Michael Curtis  
Received 25 October 2024

Dear Sir/Madam,

I support the actions of Hampshire Constabulary in requesting the review of the licence which was granted over 5 years ago to the Boomtown musical festival in Matterley Bowl, Cheesefoot Head.

I would like to make a representation about one of the Licensing Objectives – the Prevention of Public Nuisance. The amplified music noise from Boomtown travels for miles in all directions. On Wednesdays it is supposed to be inaudible. On Thursdays and Sundays it is supposed to finish at midnight. On Fridays and Saturdays it is allowed to continue until 4.00 am the next morning which I think is unreasonable as it causes nuisance to local residents, including myself when I am indoors trying to sleep. If the licence is not revoked, please can it be amended so that amplified music is not allowed after 11.00 pm or, at worst, midnight on all nights? I think this would be a reasonable balance between the commercial requirements of the organisers and the rights of local residents to be able to enjoy the tranquillity of living in a National Park.

Another public nuisance is the extra traffic on the A 272, both before and after the festival, causing delays for those of us who wish to get to Winchester from our villages during this time and extra noise and fume pollution.

I think it is very unfortunate that there should be young people harmed or even dying at these events.

For all these reasons I do not think that the Licence should be granted.

Yours faithfully,  
Michael Curtis,  
Gastons,  
Kilmeston,  
nr. Alresford,  
Hampshire,  
SO24 0NL.

Alan Whetman  
Received 25 October 2024

Clarification

My objection to Bomtown's licence is the public nuisance of traffic delays, extra traffic on roads some distance from the site with people trying to find the site but being totally lost. This is especially on the first and last days. During the performance the public nuisance is the nighttime noise..

A Whetman  
[REDACTED]

On 20 Oct 2024, at 14:27, Alan Whetman <[REDACTED]> wrote:

Further to my message below sent yesterday, I now realise that you require my address.

This is :- Yew Tree FarmhouseMy  
Beauworth  
Near Alresford  
Hants  
SO24 ONZ

[REDACTED]

On 19 Oct 2024, at 20:40, Alan Whetman <[REDACTED]> wrote:

I am delighted that the Constabulary has asked that this license be reviewed. It should never have been granted in the first place.

The whole activity of the Boomtown festival from initial set up to the final clearing up is contrary to the whole principal of the National Park. The basic reason for the national country park was the enhancing and preserving of the natural beauty of the land within the park. Boomtown totally fails to do either.

A. Whetman  
Resident of Beauworth  
[REDACTED]

Frances Warwick  
Received 29 October 2024

Meadow Cottage  
Cheriton  
Alresford  
SO24 0PP

29<sup>th</sup> October, 2024

Dear Sir/Madam

Representation about the **Review of PREM773**, Boomtown's premises licence, "I support the actions of Hampshire Constabulary in requesting the review of a licence which was granted over 5 years ago since when several things have changed.

Firstly, Boomtown's temporary planning permission has expired and the final event took place in August which means that the Council's Licensing Policy is not being complied with as current planning permission does not exist.

Secondly, the 1949 law regarding National Parks was amended in December 2023. Licensing authorities are now required by law to seek to further the Purposes of National Parks and to give priority to Purpose 1 over Purpose 2 when there is a conflict, as in this situation. When the Director of Planning of the South Downs National Park Authority submitted his committee report to the SDNP Planning Committee in December 2022 concerning Boomtown's planning application which sought continuing planning permission, SDNP/21/00290/FUL, he recommended refusal. One of his main reasons for recommending refusal was that the music festival did not comply with Purpose 1 of the National Park as he said that it does not conserve and enhance the natural beauty and wildlife of the area and this is a matter of public record. Nothing has changed since December 2022 and his reasons must still be valid.

For these two reasons I request that the premises licence is revoked. If Boomtown are successful in obtaining new planning permission from SDNPA, the company could then seek a new premises licence from WCC.

I would also like to make a representation about another of the **Licensing Objectives – the Prevention of Public Nuisance**.

I not consider that the Boomtown music festival does not promote the Prevention of Public Nuisance, which is one of the four licensing objectives. In particular, the low frequency bass noise travels miles from its source and it causes me and my husband considerable nuisance as it continues until 4.00 am on two nights and until midnight on two other nights. Living in a part of the South Downs National Park which enjoys very low ambient noise levels during the night at all other times of the year this is very annoying and you would like to request that, if the licence is allowed to continue, it should be amended such that amplified music ceases at either 11.00 pm or midnight on all nights.

Yours faithfully  
Frances Warwick

Anthony McWhirter  
Received 30 October 2024

Dear Sir/Madam,

I fully support the request of the Hampshire Constabulary to review the Boomtown premises licence which was granted over 5 years ago. Various matters have changed since the grant of that premises licence.

In relation to the prevention of crime and disorder and public safety, I was very concerned at the facts reported in the review application. In particular:

First, the fact that the event organisers appear to not to have complied in their Crime and Drugs Management Plan with the express conditions included in the existing premises licence. It is difficult to come up with an acceptable reason for this failure. This is notwithstanding that the Boomtown event has a history of persons attending the event dying or using drugs (as stated in 2017 by the Chief Officer of Police in representations against the grant of a new premises licence).

Secondly, the reference in a recent event debrief to the “glossing over” of a reported 29 cases of fractured bones at the Boomtown event. The whole point of an event debrief is presumably to look at what went well and what went wrong so that, in the case of things that went wrong, consideration can be given to making improvements for the next event. That cannot be done if the event organisers are not being fully open and transparent about things that went wrong.

It raises in my mind how suitable the event organisers are to run an event such as Boomtown. They are inviting people to the event, some of whom may be young, immature and/or vulnerable, and so should be taking all reasonable precautions to safeguard those invitees. As the organisers have failed to comply with some of the public safety and prevention of crime and disorder conditions in the premises licence, consideration should be given to checking if other conditions of the licence have been breached (such as numbers attending and noise levels as numbers can have an effect on the prevention of crime and disorder and public safety and noise levels affect the prevention of public nuisance).

My understanding is that the existing premises licence should be revoked, first, because there is no current planning permission for Boomtown that exists. I believe that it is in breach of the Council’s Licensing Policy for there to be a premises licence but no relevant planning permission.

Secondly, following the amendment in December, 2023 of the 1949 Law concerning National Parks, licensing authorities are now required by law to further the purposes of National Parks and to give priority to Purpose number 1 over Purpose number 2, if there is a conflict between the two Purposes, (which may be the case for Boomtown). Indeed, the Director of Planning of the South Downs National Park in his submission in December, 2022 to the SNDP Planning Committee concerning Boomtown’s planning application SDNP/21/00290/FUL recommended refusal. One of his main reasons was that the Boomtown event does not comply with Purpose number 1 of the National Park as he considered the event did not conserve and enhance the natural beauty and wildlife of the the Park. As nothing has changed, his reasoning must presumably still be valid.

I would also like to make a representation about the licensing objective "The Prevention of Public Nuisance". The noise from Boomtown can be heard over long distances although this does depend on things like wind speed and direction. The prevailing wind tends to be westerly or south westerly and we have certainly heard the sound from our house during the day and during the evening. As the music is currently permitted to continue until 4.00am in the morning on two nights this is a real interference with our ability to enjoy our house. Therefore, to provide a better balance between those who live in the area and those who attend the event, I suggest further restricting the nighttime hours during which music can be played to ,say, midnight or 2.00am and /or restricting the permitted noise level after, say, midnight or 1.00pm. I cannot believe that it is really necessary for such high levels of noise to carry on until 4.00am in the morning. Restricting the hours music is played and/or the levels at which it played may also have a beneficial effect on public safety and the prevention of crime and disorder.

Yours faithfully  
Anthony McWhirter,  
Sevington Manor, Tichborne,  
Alresford, SO24 0NF.



Terence Jones  
Received 30 October 2024

**Longwood View, Lane End,  
Owslebury, Winchester SO21 1JZ**

P [REDACTED]  
M [REDACTED]  
E [REDACTED]

Carol Stefanezuk  
Licensing Officer  
Winchester City Council  
Colebrook Street  
Winchester SO23 9LJ

30<sup>th</sup> October 2024

Dear Ms Stefanezuk,

**Licensing Application for Boomtown, Matterley Bowl, Alresford Road,  
Winchester**

I write to urge WCC to refuse the licensing application for Boomtown on the grounds of prevention of Crime and Disorder.

My argument in a nutshell is that the five week construction of the festival site; the festival itself, and the three week deconstruction period constitute a major infrastructure construction project on 444 hectares of downland chalk farmland during the nesting period of protected birds. When considering the application for this licence, you must consider the *whole* impact of this 9 week period and not simply the 5-6 day impact of the event itself.

Section 1 of the The Countryside and Wildlife Act 1981 (as amended from time to time) states:

“ If any person intentionally –

- a) Kills, injures, or takes any wild bird
- b) Takes, damages or destroys the nest of any wild bird while that nest is in use or is being built; or
- c) Takes or destroys an egg of any wild bird,

....Shall be guilty of an offence.”

Matterley Farm contains populations of ‘Red Listed’ birds which nest on the ground including Lapwing, Skylark and Corn Bunting. It also contains several other Red Listed bird species including Yellowhammer. Surveys evidence that the population of Skylark on Matterley farm has reduced over the period of the Boomtown festivals and is now only one fifth of that on adjoining farms. I will repeat that for emphasis: for

every five Skylark on the adjoining and identical chalkland farms, there is only one Skylark on Matterley Farm. I attribute this unnatural population reduction to the construction activities for Boomtown which always take place at the peak Skylark nesting time.

In appendix A I give you more detail on the bird population of Matterley Farm and survey results.

When considering this licence application, you must consider the whole of the activities related to the Boomtown Festival and not merely the 5-6 days of the festival itself. While the planning permission application for the 2025 festival has not yet been made, there is no reason to suppose that it will vary substantially from the previous applications which allowed five weeks before the festival date for construction of the festival site, the festival itself, and then three further weeks for deconstruction of the site.

Within the construction period a caravan 'village' is erected on the farm partially to accommodate the up to 2,000 workers who erect the fencing, put down miles of temporary road and street lighting, and construct the various festival 'villages'. Much of the site has lighting through the night during this erection and decommissioning period. It is important that you understand the scale of this construction operation: it is not confined to the Matterley Bowl, it covers the whole 444 hectares of the Matterley Farm festival site – not far short of 2 square miles.

As the 2025 planning application has not yet been posted, it is not possible to be definitive with numbers. However, in the past something in the region of 200- 250 hectares of the site (so over half) constitutes "improved grassland" which is used for camping and car parks. During the pre-festival period, this improved grassland is cut with a tractor and massive 'lawn mower' so that the grassland is suitable for campers. The grass removed is used for silage – an agricultural crop which is used mostly to feed cattle. I acknowledge totally that the production of silage is a legitimate farming activity, especially as Matterley Farm hosts a herd of dairy cattle. HOWEVER, production of 250 hectares of silage is well over and beyond the needs of one dairy herd and it is clear that the area – about a square mile of grassland - damaged by this silage activity is related to the needs of the festival as well as the needs of the genuine farming activity. It is also noticeable, that other local farms cut earlier and then leave their second silage operations until later in August, once the ground nesting birds have completed nesting and fledging.

In their previous planning applications, Matterley have made commitments to reparation and compensation for the environmental damage that they acknowledge is caused by the festival. Because we are talking about, say, yellowhammers, this seems to be acceptable. But if they said, "we intend to kill three children, but don't worry - we will erect three playgrounds in adjoining villages as compensation", there would be outrage.

In your duties in assessing this application I would remind you that killing Lapwing or Skylark or Corn Bunting or Yellowhammers is just as illegal as killing children.

To assist you in understanding the bird nesting implications, I attach an appendix which also details surveys which show the damage already done to the Red Listed bird population at Matterley by years of festival activity. But it is not only Red Listed birds (and other fauna and flora) that are protected by the 1981 Act, it is all birds whose nest would be disturbed.

In summary: the creation and dismantling of Boomtown is a major construction programme stretching over ten weeks at the peak of the bird nesting period. It would be impossible for the 2,000 construction workers with their associated heavy machinery and all-night lighting, NOT to disturb bird nests and fledgling birds on a site of almost two square miles during this period. Disturbing nesting birds is breaking the law. It is a criminal offence.

As ask you to refuse the licence application so that this crime will not have an opportunity to take place.

Yours faithfully

Terence Jones

**Appendix A** evidences, through surveys conducted in 2023 and 2024, that Matterley Farm holds one nesting Skylark compared to 5 nesting Skylark on the adjoining and near-identical farms.

**Appendix B** shows the nesting dates for three Red Listed ground nesting birds which are present on Matterley Farm. These highlight the vulnerability of these birds to the Boomtown construction period.

**Appendix C** gives a short CV of my birding experience, the surveys I am involved in and therefore ability to comment.

## **Appendix A to Terence Jones' letter of 30<sup>th</sup> October 2024**

### **Aggregate counts over two years in surveys show Matterley Estate held 11 skylark and the adjoining virtually identical farms held 67.**

Regular surveys show that the population of skylark on the Matterley Estate is, at best, only 1/5<sup>th</sup> that of the population on the adjoining farmland. The adjoining farms have identical crops, soil, altitude and the only difference is that the Matterley Estate holds the annual Boomtown festival. I argue that the preparation for this festival of 5 weeks and to a lesser extent the decommissioning period 3 weeks, and the festival itself are detrimental to ground nesting birds, in particular skylark, lapwing and corn bunting.

A map is attached to show the survey routes. It is taken from the scoping application made by planning consultant Turley to SDNPA under reference SDNP/24/02263/SCOPE. I hope I do not impinge on Turley's mapping copyright, but thought it would be helpful to use the same Boomtown plan that is used in the SCOPE application.

The T Jones survey routes are superimposed below, in red, onto a Turley map, which was part of the Boomtown planning application, of the festival area

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Turkey

**Results show:**

Over two years, in aggregate, on the SDFBI survey Matterley held 6 skylark and the adjoining Chilcomb/Longwood Warren area held 35 skylark. Chilcomb also held Yellowhammer while Matterley had none.

Over two years, in aggregate, on the Rodfield Lane survey, Matterley held 11 skylark while the adjoining Gander Down held 32. Matterley did have an aggregate of 2 lapwing to Gander Down's one. Matterley held an aggregate of 1 yellowhammer to Gander Down's 4.

**The aggregate skylark count is Matterley 11: Adjoining farms 67.**

The very rare Corn Bunting was only seen once. Two birds in the Chilcomb sector in May 2024.

The farming land and crops in the comparator areas are very similar to Matterley. In my view this data highlights the detrimental impact on the ground nesting and bird population of over 10 years of pop festivals at Matterley.

**The SDFBI survey** has two halves. The first is on the South Downs Way west of the A272 and the car park at Cheesefoot Head (SU530277). It runs from a junction of footpaths (including Gipsy Lane) at spot height 132m at approximately SU517282 to the Cheesefoot Head car park. I call this 'the Chilcomb' side'. The second sector (the 'Matterley' side) follows the South Downs Way from the Cheesefoot Head car park to the point just north of Keepers Cottage at S536289 where the SDW turns a right angle to the east. Both sectors are approximately 1Km long. The transect is walked slowly taking about an hour for each side (so total 2 hours) in the early morning. All birds seen and or heard are counted. A high number are heard not seen and so an ability to know bird songs and calls is essential. The survey is undertaken twice each spring/late spring with a four week interval between surveys. It is quite usual for the later survey to record fewer birds because, by then, many have established nests and breeding territories and so are calling/singing less.

**The Rodfield Lane Survey** is one I conduct under my own initiative. The transect starts at the junction of Rodfield Lane with the A272 at approximately SU544273. I then walk north on Rodfield Lane for about 1.4Km to its junction with the South Downs Way at approximately SU552281. I then walk the SDW east of the junction for about 1Km and then walk the SDW west of the junction for about 1Km thus forming a "T" shaped transect. Matterley Estate to the west of Rodfield Lane, hosts the annual Boomtown festival but does have arable crops in this area as well as grassland which is cut for silage and then used as a camping areas for Boomtown and also for motorcross events . Gander Down, to the east is "normal" farmland.

## The SDFBI survey 2023

These are my two 2023 visits split by sides.

Early visit Friday 12<sup>th</sup> May 2023. Cold brisk breeze, 9/9 cloud cover.

Late visit Tues 6<sup>th</sup> June 2024 . Cool brisk breeze 9/9 cloud cover

	Early visit	Early visit	Late visit	Late visit
	Chilcomb	Matterley	Chilcomb	Matterley
	0700-0800	0800-0915	0620-0740	0740-0845
B H Gull	0	0	0	1
Blackbird	5	2	5	2
Blue Tit	1	0	1	1
Buzzard	0	0	0	1
Carrion Crow	3	13	0	30
Chaffinch	3	6	8	2
Collared Dove	0	0	0	2
Dunnock	2	0	0	0
G S Woodpeck	0	0	0	1
Great Tit	2	2	0	0
Greenfinch	2	1	1	1
Jackdaw	0	3	0	2
Magpie	1	1	2	1
Meadow Pipit	0	0	1	0
Mallard	0	3	0	0
Pheasant	0	0	1	0
Red Kite	0	4	2	1
R L Partridge	1	0	0	0
Robin	3	2	0	0
Rook	0	0	13	77
<b>Skylark</b>	<b>8</b>	<b>0</b>	<b>6</b>	<b>0</b>
Song Thrush	0	0	0	2
Wren	0	5	1	7
Woodpigeon	7	17	13	13
<b>Yellowhammer</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>
Brown Hare	0	1	0	0
Red Fox	0	0	1	0
Roe Deer	0	0	1	0

## The SDFBI survey 2024

Early visit Saturday 4<sup>th</sup> May. Sunny, warm, no breeze, 2/9 cloud

Late visit Saturday 1<sup>st</sup> June. Sunny, cool, moderate breeze 2/9 cloud

	Early visit	Early visit	Late visit	Late visit
	Chilcomb	Matterley	Chilcomb	Matterley
	0655-0818	0818-0930	0625-0745	0745-0850
Blackbird	5	4	3	3
Blackcap	2	1	1	1
Blue Tit	5	3	1	0
Buzzard	1	1	1	0
Carrion Crow	2	3	3	2
Chaffinch	9	5	3	0
Chiffchaff	3	0	0	0
Common Gull	0	0	0	6
<b>Corn Bunting</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>
Dunnock	1	2	0	0
Goldfinch	2	1	0	0
G S Woodpeck	0	1	0	0
Great Tit	5	1	2	1
Greenfinch	1	0	0	0
Herring Gull	0	0	1	0
Jackdaw	0	5	0	4
Kestrel	0	0	0	2
Linnet	0	0	2	0
Magpie	0	0	1	1
Mallard	0	2	0	0
Meadow Pipit	4	0	1	0
Med Gull	0	0	0	34
Pheasant	3	6	0	1
Raven	1	0	0	0
Red Kite	0	2	4	3
R L Partridge	1	2	1	2
Robin	5	3	1	4
Rook	0	0	0	50
<b>Skylark</b>	<b>15</b>	<b>0</b>	<b>6</b>	<b>0</b>
Song Thrush	2	1	2	0
Swallow	0	0	1	0
Swift	0	0	1	0
Whitethroat	1	1	1	0
Willow Warb	0	2	0	0
Wren	7	8	3	7
Woodpigeon	12	15	7	17
<b>Yellowhammer</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>



## Rodfield Lane Survey 2023

Monday 25<sup>th</sup> April 2023. Sunny warm, light breeze. Start 0800 end 0915.

	Matterley Estate Peveril Bruce	Gander Down Robert Young	Total
Blackbird	0	2	2
Blackcap	1	0	1
Blue Tit	1	1	2
Buzzard	1	2	1
Carrion Crow	0	2	2
Chaffinch	2	4	6
Dunnock	0	1	1
Goldfinch	5	0	5
Kestrel	1	0	1
<b>Lapwing</b>	<b>0</b>	<b>1</b>	<b>1</b>
Linnet	1	0	1
Meadow Pipit	7	0	7
Pheasant	0	1	1
Red Kite	1	2	1
Red Legged Partridge	2	1	3
Robin	0	1	1
Rook	0	55	55
<b>Skylark</b>	<b>3</b>	<b>10</b>	<b>13</b>
Song Thrush	1	0	1
Wheatear	0	2	2
Wren	0	1	1
<b>Yellowhammer</b>	<b>1</b>	<b>3</b>	<b>4</b>
Brown Hare	8	5	13

## Rodfield Lane Survey 2024

Friday 10<sup>th</sup> May 2024. Start 0955. Matterley sector only 1030 – 1100. Gander Down sector only 1100-1130. End 1200.

Both areas had crops of winter wheat and spring wheat or barley. Matterley also had one large area of grassland.

	Matterley Estate Peveril Bruce	Gander Down Robert Young	Total
Blackbird	2	7	9
Blackcap	1	3	4
Buzzard	0	2	2
Carrion Crow	6	4	10
Chaffinch	6	10	16
Great Tit	0	2	2
Greenfinch	1	0	1
<b>Lapwing</b>	<b>2</b>	<b>0</b>	<b>2</b>
Pheasant	5	0	5
Red Kite	1	1	2
Red L Partridge	4	0	4
Robin	1	3	4
Rook	0	10	10
<b>Skylark</b>	<b>8</b>	<b>22</b>	<b>30</b>
Whitethroat	3	3	6
Woodpigeon	4	1	5
Wren	4	6	10
<b>Yellowhammer</b>	<b>0</b>	<b>1</b>	<b>1</b>

## Appendix B to Terence Jones letter of 30<sup>th</sup> October 2024.

### Dates of nesting for three ground-nesting birds which nest on Matterley Farm. Notes on the Corn Bunting.

The table below explains the peak vulnerability periods for three ground nesting birds which are present on Matterley Farm. All three are Red Listed, which is the highest level of protection afforded by DEFRA, The Environment Agency and other government agencies working in tandem with the wildlife conservation bodies. It is important to recognise that The Countryside and Wildlife Act 1981 protection relates to *all* birds, not just those having the highest protection levels.

Species	Eggs laid between	Incubation period (parent sits on eggs)	Fledging period (Parent feeds chicks)	Possible last date for unfledged young birds
Corn Bunting	21 May – 31 July	13 days	11-13 days	26 Aug
Lapwing	25 March – 25 May	25-34 days	35 days	2 Aug
Skylark	20 April – 6 July	13-14 days	11-16 days	5 Aug

Source: British Trust for Ornithology

In addition to the above dates you should be aware that birds take time to (a) survey and mark out their territories and (b) construct the nest before the eggs are laid. Disturbance at any time during this period is likely to mean that the individual pair of birds fail to nest that year and thus add to the over 50% decrease in population farmland birds which we are experiencing.

The above table evidences that any activity on Matterley Farm before late August risks disturbance of nesting birds. Historically, Boomtown construction takes place in July and early August.

I would like to highlight the Corn Bunting. This is a Red listed and highly protected bird. Nationally, Corn Bunting numbers declined very steeply between the mid 1970s and mid 1980s, with local extinctions across large sections of their former range in the UK. The decline has continued, but at a reduced rate until around 2000, since when numbers have remained relatively stable but there have been no signs of recovery (source British Trust for Ornithology). There are now only two populations of Corn Bunting extant in Hampshire. One is at Martin Down on the Wiltshire border, and the other in the Cheesefoot Head/Matterley Farm/Gander Down area. (Occasional birds are seen elsewhere in the county). Prior to the Boomtown festivals up until around 2010, the Hampshire Biodiversity Centre records frequent sightings up to 10 Corn Buntings at a time in the Cheesefoot Head/Matterley/Gander Down area. In recent years, only very occasional sightings have occurred with a maximum group of two birds at any one time. There was a very small increase in sightings in 2021 when no Boomtown took place because of Covid.

The Corn Bunting is now a very rare and special bird in Hampshire and as a 'late nester' is especially vulnerable to Boomtown activity. This alone, in my opinion, is a strong reason why Boomtown should not receive a Licence from WCC nor planning permission from SDNPA.

## **Appendix C**

### **My bird experience and ability to comment on this matter.**

I was taught birdwatching by an uncle when I was aged eight 71 years ago.

We have lived at Lane End, about a mile from the Matterley Estate, for 39 years. I am very familiar with the birds and other wildlife in the area.

For many years I have been a member of the Royal Society for Protection of Birds, The British Trust for Ornithology, The Hampshire & Isle of Wight Wildlife Trust; The Hampshire Ornithological Society, Butterfly Conservation and other wildlife organisations. I write as a private individual and not representing any position by any of those organisations.

I conducted the surveys for the British Bird Atlas 2007-2011 published by the British Trust for Ornithology (BTO) in three local OS grid squares including much of the Matterley Estate surveyed from the South Downs Way. For several years I have conducted a Breeding Bird Survey for the BTO in two different OS grid squares on the farm chalkland within 5 miles of Matterley Estate. I also partake in some coastal bird surveys based around Portsmouth Harbour.

Since 2018 I have conducted a survey on behalf of the South Downs Farmland Birds Initiative. This is a survey administered by the RSPB on behalf of a range of sponsors, one of which is the South Downs National Park Authority. The survey covers OS grid square SU5228. This is at the west end to centre of Matterley Estate. Half of this survey is on the Matterley Estate and half on adjoining farmland. As a personal initiative I have additionally conducted a survey covering the eastern part of Matterley Estate. All these Matterley surveys are carried out from the South Downs Way as I do not have access to other parts of Matterley. All these surveys use a methodology determined by the BTO to ensure continuity of process. The results are shown in Appendix A.

Terence Jones

30<sup>th</sup> October 2024

Alison Matthews  
Received 30 October 2024

Dear Sirs,

I support the actions of Hampshire Constabulary in requesting the review of the above licence which was granted some 5 years ago .

Firstly, Boomtown's temporary planning permission has expired and the final event took place in August which means that the Council's Licensing Policy is not being complied with as there is no current planning permission.

Secondly, the 1949 law regarding National Parks was amended in December 2023. Licensing authorities are now required by law to seek to further the Purposes of National Parks and to give priority to Purpose 1 over Purpose 2 when there is a conflict, as in this situation. When the Director of Planning of the South Downs National Park Authority submitted his committee report to the SDNP Planning Committee in December 2022 concerning Boomtown's planning application which sought continuing planning permission, SDNP/21/00290/FUL, he recommended refusal. One of his main reasons for recommending refusal was that the music festival did not comply with Purpose 1 of the National Park as he said that it does not conserve and enhance the natural beauty and wildlife of the area and this is a matter of public record. Nothing has changed since December 2022 and his reasons must still be valid.

I understand that prevention of public nuisance is one of the Licensing Objectives. Residents of Avington, as I am, suffer considerable nuisance for a week every summer when the whole area is disrupted by the noise and the strobe lighting with resulting loss of sleep.

For these reasons I request that the premises licence is revoked.

Alison Matthews  
Lake House  
Avington

Brendan Gibbs, Clerk to Tichborne Parish Council  
Received 30 October 2024

**TICHBORNE PARISH COUNCIL**  
**15 The Heath Denmead Waterlooville PO7 6JT**  
**Tel: [REDACTED] email: [REDACTED]**  
**Clerk Mr Brendan Gibbs**

Tichborne Parish Council supports the application made by Hampshire Constabulary for a review of the premises licence held by Boomtown Fair Ltd.

The proposed conditions are considered to be an improvement in terms of furthering the licensing objectives for the Prevention of Crime and Disorder and for Public Safety.

We would like to bring to the attention of the Licensing Sub-committee two items for their consideration.

The existing licence does not comply with Winchester City Council's most recently adopted Licensing Policy.

It also fails to comply with the National Parks and Access to the Countryside Act 1949 (as amended by Section 245 of the Levelling-Up and Regeneration Act 2023).

This review enables the Sub-committee to take into account its revised Licensing Policy (adopted in February 2024) and the relevant other legislation (amended in December 2023), both of which have been put in place since the existing premises licence was granted.

Tichborne Parish Council would like point out that there is currently no appropriate extant planning permission to hold another Boomtown music festival on the Matterley site.

The temporary permissions emerging from planning application SDNP/18/06249/FUL will expire in December 2024.

This situation allows the Licencing Sub-committee to revoke or suspend the existing premises licence on this basis.

If the Sub-committee is not minded to revoke or suspend the existing premises licence then we would ask it to consider curtailing the level of disturbance to achieve the licensing objective of the Prevention of Public Nuisance.

Most of our parish is in the South Downs National Park and one of the special qualities of the National Park is "relative tranquillity".

Boomtown Fair Ltd. submitted a planning application on 18th January 2021 seeking permanent permission to replace the extant temporary permission and to increase the attendance limit by 11,000 persons to bring the planning permission into line with the premises licence which the Council granted in 2019, i.e. to raise the limit from 64,999 to 75,999.

SDNPA had this application under consideration for a prolonged period of time before it was eventually withdrawn by the applicants who viewed its chances of being approved as very marginal.

Tichborne Parish Council believes that the terms of your own Licensing Policy require you to revoke or suspend the existing premises licence.

Yours faithfully,

Brendan Gibbs.  
Clerk to Tichborne Parish Council.