



MIDKENT ENVIRONMENTAL HEALTH SHARED SERVICE
MEMORANDUM

From: Mr John McCullough Environment and Street Scene	To: Licencing Team
Date: 12th April 2018	Our Ref: 18/503077/GENLIC
License Application : 18/00966/LAPRE	
Address: <u>Colebrook Lakes Festival Site Kingstanding Way Royal Tunbridge Wells Kent</u>	

I have assessed the above application and have the following comments:

I have looked at the Council’s Uniform property database and have noted that the Environmental Protection Section have previously received complaints about the premises namely.....

- A festival in 2016 caused substantial numbers of complaints.
- A festival in 2017 caused substantial number of complaints and lead to a licencing review with modifications to the site licence)
- A further event subsequent to the licencing review also gave rise to a substantial number of complaints. This event was within 21 days of the review decision so the new conditions did not apply.

The premises has been visited on numerous occasions and premises have been identified relating to events in the past (see attached) some of which were at a substantial distance and some outside Tunbridge Wells Borough Council.

It is relatively unusual for multiple licences for festivals on a given site particularly where there are conditions restricting the number of festivals to;

- one Category one festival (a festival for up to 4999 persons that is up to three days long and with music up to 03.00hrs (Sundays 24.00)
- two Category two festivals (a festival for up to 4999 persons up to three days long with music till 23.00hrs
- Unrestricted Category 3 events – events with less than 1500 persons with outdoor music till 23.00hrs (it being possible to have music in a marquee after this time

The Environmental Protection Team have concerns about doubling up of events with two people having the licence. We have been assured that this will not happen by the applicant for the current licence. There could be issues with who is breaching the condition for the number of events if there were to be more than the specified number of events with each licence holder insisting they did not breach the condition as they were authorised to have the event. It could make enforcement difficult.

It would also be necessary for the licence conditions to be as similar as possible to avoid bias. We have had a meeting with the applicant and his solicitor and have indicated that the Environmental Protection Team do not overly worry about who delivers the festivals and events more that the last review panel determined that the site was only suitable for a specified amount. If there are procedures in place that ensure that this is adhered to then we will have

no particular concerns that have not been aired at the previous licencing panel review hearing on the site. The current licence conditions are untested in establishing adequate control as the "One Love" festival was not subject to them.

There will also be issues relating to the Noise Management Plan (NMP) to make sure these are sufficient. We will have effectively two management plans for the site one for the previous/current sole licence holder and this one for the current applicant to run in parallel. The EP team will have to work to ensure that they have both got sufficiently robust NMPs

In our previous meeting we were discussing some of the condition and minor amendments to make them work for the situations proposed by the current applicant. These were sent to me for comment but I have to work on submitted documents. There were no suggested conditions submitted – the EP team would need to see the proposed conditions (ideally with amendments deviating from the existing conditions highlighted (possibly in red) so that we can easily find the amendments and not miss any amendments. Only when I get this document will I be officially able to comment on its contents.

THEREFORE I OBJECT TO THE APPLICATION AS CURRENTLY APPLIED FOR. It will be necessary for the panel to consider the relevant aspects and there is no possibility of us determining if it is satisfactory only to comment on and respond to points put forward by the applicant and by any objectors at the hearing.

If the licencing panel are satisfied with the application on the day the EP Team would request condition's similar to the current licence condition with any amendments they feel fit based upon evidence presented at the hearing by the applicant.

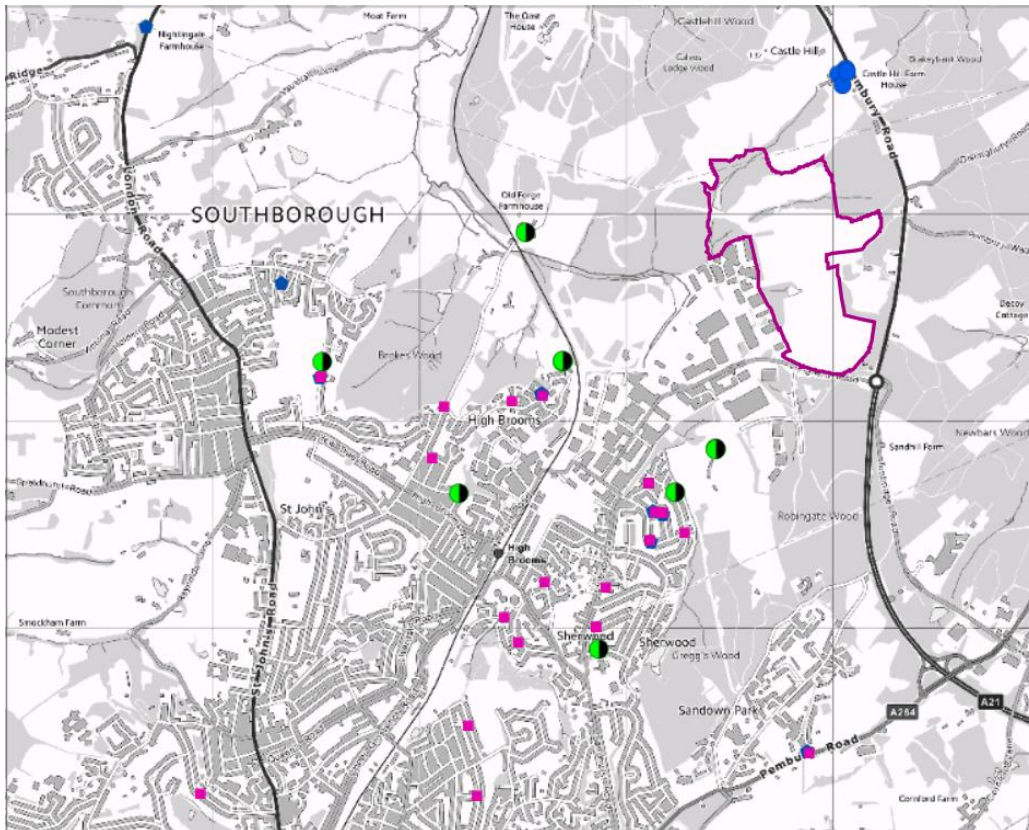
Please contact me for further advice or information.

John McCullough

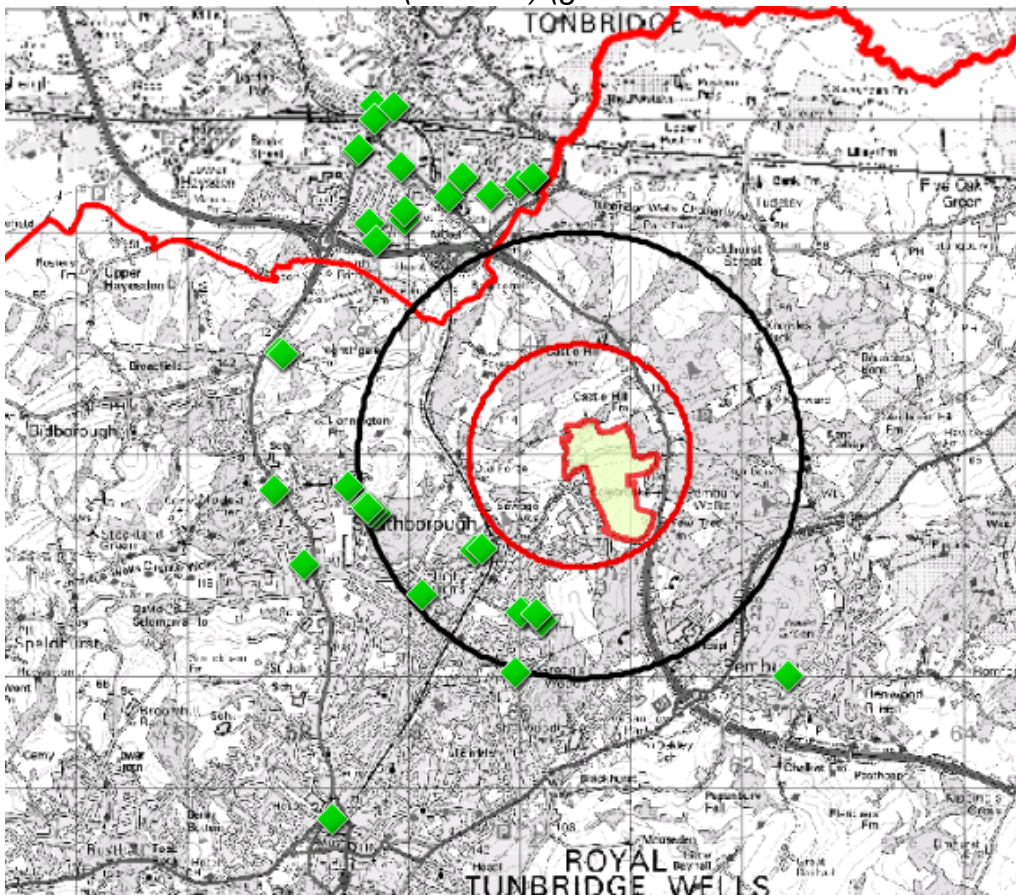
John McCullough BSc (Hons) MSc CMCIEH MIOA

Senior Environmental Health Officer & Chartered Environmental Health Practitioner

Attachment Showing the extent of noise complaints from festivals on the site between 2016 and 2017.



From the Alfresco Festivals (2016/17) (green and black were EP team monitoring points)



The complaints for one love festival 2017 inside TWBC and TMBC